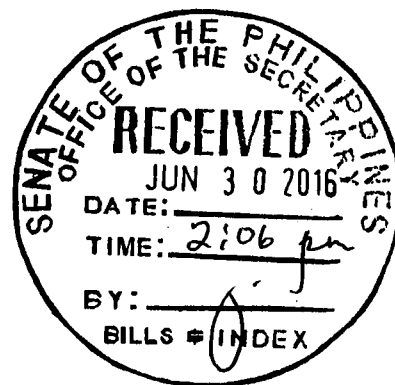


SEVENTEENTH CONGRESS)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



SENATE

S.B. No. 32

Introduced by SENATOR LOREN LEGARDA

AN ACT DECLARING PROTECTED AREAS AND PROVIDING FOR THEIR MANAGEMENT, AMENDING FOR THIS PURPOSE REPUBLIC ACT NO. 7586, OTHERWISE KNOWN AS THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS) ACT OF 1992, AND FOR OTHER PURPOSES

Explanatory Note

The Philippines is one of seventeen (17) megadiverse countries which together host 70-80% of the world's life forms and is believed to harbor more diversity of life than any other country on earth on a per hectare basis. Unfortunately, the country is losing its biodiversity at an unprecedented scale.

Article XII, Section 4 of the 1987 Constitution states that "[t]he Congress shall, as soon as possible, determine, by law, the specific limits of forest lands and national parks, marking clearly their boundaries on the ground."

To this end, Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System (NIPAS) Act of 1992" or the NIPAS Act, was passed establishing a system of protected areas within the classification of national park as provided for in the Constitution. The system consists of all areas or islands in the Philippines proclaimed, designated or set aside, pursuant to a law, presidential decree, presidential proclamation or executive order as national park, game refuge, bird and wildlife sanctuary, wilderness area, strict nature reserve, watershed, mangrove reserve, fish sanctuary, natural and historical landmark, protected and managed landscape/seascape as well as identified virgin forests before the effectivity of the NIPAS Act.

The NIPAS Act also provides for integration of additional areas into the System through a lengthy and careful inclusion procedure. This includes the conduct of suitability assessments, publication and public hearings, which then leads to the issuance of a Presidential proclamation and culminates in the final declaration and classification of the land by Congress as a national park.

Since 1992, 113 have been declared through Presidential proclamations as protected areas under the NIPAS. However, only thirteen (13) protected areas have finally proceeded to be legislated as such in the more than twenty (20) years since the NIPAS Act was enacted. It is imperative that proclaimed protected areas after the effectivity of the Act are finally declared as such through Congressional fiat as required by the NIPAS Act and pursuant to the directive of the Constitution.

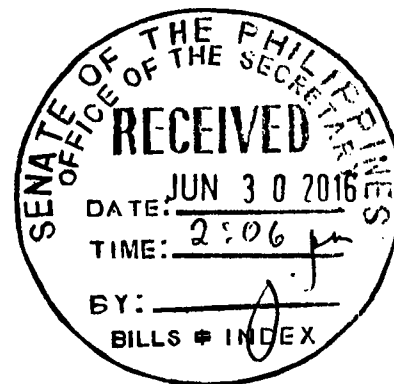
The President has sent to the Senate and the House of Representatives his recommendations on the addition of these areas into the NIPAS under the land classification of national park.

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



LOREN LEGARDA
Senator

SEVENTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
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Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

1 **SECTION 1.** Section 1 of Republic Act No. 7586 is hereby amended to read as
2 follows:

3 "SECTION 1. *Title.* – This Act shall be known and referred to as the
4 "**EXPANDED** National Integrated Protected Areas System Act of [1992]
5 **2015**".

6
7 **SEC. 2.** Section 2 of Republic Act No. 7586 is hereby amended to read as follows:

8 "SEC. 2. *Declaration of Policy.* – Cognizant of the profound impact
9 of [man's] **HUMAN** activities on all components of the natural environment
10 particularly the effect of increasing population, resource exploitation and
11 industrial advancement and recognizing the critical importance of
12 protecting and maintaining the natural, biological and physical diversities
13 of the environment notably on areas with biologically unique features to
14 sustain human life and development, as well as plant and animal life, it is
15 hereby declared the policy of the State to secure for the Filipino people of
16 present and future generations the perpetual existence of all native plants
17 and animals through the establishment of a comprehensive system of
18 integrated protected areas within the classification of national park as
19 provided for in the Constitution.

20
21 It is hereby recognized that these areas, although distinct in
22 features, possess common ecological values that may be incorporated into
23 a holistic plan representative of our natural heritage; that effective
24 administration of these areas is possible only through cooperation among
25 national government, local government and concerned private
26 organizations; that the use and enjoyment of these protected areas must
27 be consistent with the principles of biological diversity and sustainable
28 development.

29
30 To this end, there is hereby established a National Integrated
31 Protected Areas System (NIPAS)[,] which shall encompass outstandingly
32 remarkable areas and biologically important public lands that are habitats

1 of rare and endangered species of plants and animals, biogeographic zones
2 and related ecosystems, whether terrestrial, wetland or marine, all of
3 which shall be designated as "protected areas".
4

5 **THE STATE SHALL ENSURE THE FULL IMPLEMENTATION OF**
6 **THIS ACT, THE MOBILIZATION OF RESOURCES FOR THE**
7 **INSTITUTIONAL MECHANISMS HEREIN ESTABLISHED, AND THE**
8 **FULL SCIENTIFIC AND TECHNICAL SUPPORT NEEDED FOR THE**
9 **CONSERVATION OF BIODIVERSITY AND THE INTEGRITY OF THE**
10 **ECOSYSTEMS, CULTURE AND SPIRITUAL PRACTICES."**
11

12 **SEC. 3.** Section 4 of Republic Act No. 7586 is hereby amended to read as follows:

13 "SEC. 4. *Definition of Terms.* – For purposes of this Act, the following
14 terms shall be defined as follows:

15 (a) "National Integrated Protected Areas System (NIPAS)" is the
16 classification and administration of all designated protected areas to
17 maintain essential ecological processes and life-support systems, to
18 preserve genetic diversity, to ensure sustainable use of resources found
19 therein, and to maintain their natural conditions to the greatest extent
20 possible;

21 (b) "Protected Area" refers to identified portions of land and water
22 set aside by reason of their unique physical and biological significance,
23 managed to enhance biological diversity and protected against destructive
24 human exploitation;

25 (c) "Buffer zones" are identified areas outside the boundaries of
26 and immediately adjacent to designated protected areas pursuant to
27 Section 8 that need special development control in order to avoid or
28 minimize harm to the protected area;

29 (d) "Indigenous cultural community" refers to a group of people
30 sharing common bonds of language, customs, traditions and other
31 distinctive cultural traits and who have since time immemorial, occupied,
32 possessed and utilized a territory;

33 (e) "National park" refers to [a forest reservation essentially of
34 natural wilderness character which has been withdrawn from settlement,
35 occupancy or any form of exploitation except in conformity with approved
36 management plan and set aside as such exclusively to conserve the area
37 or preserve the scenery, the natural and historic objects, wild animals and
38 plants therein and to provide enjoyment of these features in such areas]
39 **THE LANDS OF THE PUBLIC DOMAIN CLASSIFIED AS SUCH IN THE**
40 **1987 CONSTITUTION WHICH INCLUDE ALL AREAS UNDER THE**
41 **NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS)**
42 **PURSUANT TO REPUBLIC ACT NO. 7586 PRIMARILY DESIGNATED**
43 **FOR THE CONSERVATION OF NATIVE PLANTS AND ANIMALS, AND**
44 **THEIR ASSOCIATED HABITATS AND CULTURAL DIVERSITY;**

45 (f) "Natural monuments" is a relatively small area focused on
46 protection of small features to protect or preserve nationally significant
47 natural features on account of their special interest or unique
48 characteristics;

49 (g) "Natural biotic area" is an area set aside to allow the way of life
50 of societies living in harmony with the environment to adapt to modern
51 technology at their pace;

52 (h) "Natural park" is a relatively large area not materially altered by
53 human activity where extractive resource uses are not allowed and
54 maintained to protect outstanding natural and scenic areas of national or
55 international significance for scientific, educational and recreational use;

(i) "Protected landscapes/seascapes" are areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of these areas;

(j) "Resource reserve" is an extensive and relatively isolated and uninhabited area normally with difficult access designated as such to protect natural resources of the area for future use and prevent or contain development activities that could affect the resource pending the establishment of objectives which are based upon appropriate knowledge and planning;

(k) "Strict nature reserve" is an area possessing some outstanding ecosystem, features and/or species of flora and fauna of national scientific importance maintained to protect nature and maintain processes in an undisturbed state in order to have ecologically representative examples of the natural environment available for scientific study, environmental monitoring, education, and for the maintenance of genetic resources in a dynamic and evolutionary state;

(l) "Tenured migrant communities" are communities within protected areas which have actually and continuously occupied such areas for five (5) years before the designation of the same as protected areas in accordance with this Act and are solely dependent therein for subsistence; [and]

(m) "Wildlife sanctuary" comprises 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 manipulations for their perpetuation;

(N) "BIOPROSPECTING" REFERS TO THE RESEARCH, COLLECTION AND UTILIZATION OF BIOLOGICAL AND GENETIC RESOURCES FOR PURPOSES OF APPLYING THE KNOWLEDGE DERIVED THEREFROM SOLELY FOR COMMERCIAL PURPOSES;

(O) "BY-PRODUCTS OR DERIVATIVES" REFER TO ANY PART TAKEN OR SUBSTANCE EXTRACTED FROM WILDLIFE, IN RAW OR IN PROCESSED FORM. THIS INCLUDES STUFFED ANIMALS AND HERBARIUM SPECIMENS;

(P) "COLLECTION" OR "COLLECTING" REFERS TO THE ACT OF GATHERING OR HARVESTING WILDLIFE, ITS BY-PRODUCTS OR DERIVATIVES;

(Q) "COMMERCIAL OR LARGE-SCALE QUARRYING" REFERS TO ANY QUARRYING WITHIN THE PROTECTED AREA OTHER THAN FOR THE NON-COMMERCIAL USE OF TENURED MIGRANTS OR OTHER LEGAL OCCUPANTS, AND/OR USING EXPLOSIVES OR HEAVY EQUIPMENT;

(R) "CORALS" REFER TO ALL BOTTOM DWELLING ANIMALS UNDER THE PHYLUM CNIDARIA WHICH ARE A MAJOR PART OF THE REEF COMMUNITY. THE DEFINITION INCLUDES FOUR (4) TYPES OF CORALS: (1) THOSE THAT PRODUCE A HARD SKELETON OF CALCIUM CARBONATE SUCH AS ALL SCLERACTINIAN CORALS, THE HYDROZOAN CORALS (FIRECORALS), AND THE BLUE AND RED CORALS UNDER THE GENERA HELIOPORA AND TUBIPORA; (2) THE ANTIPATHARIAN OR BLACK CORALS WITH A RIGID, CHITINOLUS SKELETON; (3) THE GORGONIANS WITH A HORNY AND/OR CALCAREOUS AXIS; AND (4) THE SOFT BODIED ANTHOZOANS SUCH AS SEA ANEMONES, AND THE SOFT CORALS UNDER THE SYSTEMATICAL GROUP OF ALCYONARIA OR OCTOCORALLIA;

1 (S) "CONVEYANCE" SHALL INCLUDE EVERY DESCRIPTION OF
2 VESSEL, INCLUDING MOTORIZED OR NON-MOTORIZED VEHICLES,
3 NON-DISPLACEMENT CRAFTS AND SEAPLANES, USED OR CAPABLE
4 OF BEING USED AS A MEANS OF TRANSPORTATION ON LAND OR
5 WATER. IT SHALL INCLUDE EVERYTHING FOUND THEREIN, EXCEPT
6 PERSONAL EFFECTS;

7 (T) "DELINEATION" REFERS TO THE ACTUAL GROUND
8 SURVEY OF THE BOUNDARIES OF PROTECTED AREAS AND/OR
9 THEIR BUFFER ZONES AND MANAGEMENT ZONES USING GLOBAL
10 POSITIONING SYSTEM (GPS) OR OTHER APPLICABLE SURVEYING
11 INSTRUMENTS AND TECHNOLOGIES WITH THE INTENTION TO
12 COME UP WITH A MAP OF THE AREA;

13 (U) "DEMARCATIION" REFERS TO THE ESTABLISHMENT OF
14 THE BOUNDARIES OF PROTECTED AREAS AND/OR THEIR BUFFER
15 ZONES AND MANAGEMENT ZONES USING VISIBLE
16 MARKERS/MONUMENTS, BUOYS IN CASE OF MARINE AREAS, AND
17 KNOWN NATURAL FEATURES/LANDMARKS, AMONG OTHERS, AS A
18 RESULT OF THE ACTUAL GROUND DELINEATION;

19 (V) "ENDEMIC SPECIES" REFERS TO THE SPECIES OR
20 SUBSPECIES OF FLORA AND FAUNA WHICH ARE NATURALLY
21 OCCURRING AND FOUND ONLY WITHIN SPECIFIC AREAS IN THE
22 COUNTRY;

23 (W) "EXOTIC SPECIES" REFERS TO THE SPECIES OR
24 SUBSPECIES OF FLORA AND FAUNA WHICH DO NOT NATURALLY
25 OCCUR WITHIN THE PROTECTED AREA AT PRESENT OR IN
26 HISTORICAL TIME;

27 (X) "EXPLOITATION" REFERS TO ANY MODE OF USE,
28 EXTRACTION, DEVELOPMENT, UTILIZATION OR DISPOSITION OF
29 RESOURCES, FOR WHATEVER PURPOSE, WHETHER COMMERCIAL
30 OR OTHERWISE;

31 (Y) "EXPLORATION" REFERS TO THE SEARCHING OR
32 PROSPECTING FOR MINERAL RESOURCES, AS DEFINED BY LAW, BY
33 GEOLOGICAL, GEO-CHEMICAL OR GEOPHYSICAL SURVEYS,
34 REMOTE SENSING, TEST PITTING, TRENCHING, DRILLING, SHAFT
35 SINKING, TUNNELING OR ANY OTHER MEANS FOR THE PURPOSE OF
36 DETERMINING THE EXISTENCE, EXTENT, QUANTITY AND QUALITY
37 THEREOF AND THE FEASIBILITY OF MINING THEM FOR PROFIT;

38 (Z) "EXPLOSIVES" REFER TO DYNAMITE OR OTHER
39 CHEMICAL COMPOUNDS THAT CONTAIN COMBUSTIBLE ELEMENTS
40 OR INGREDIENTS WHICH UPON IGNITION BY FRICTION,
41 CONCUSSION, PERCUSSION OR DETONATION OF ALL OR PARTS OF
42 THE COMPOUND WILL KILL, STUPEFY, DISABLE OR RENDER
43 UNCONSCIOUS ANY SPECIES. IT ALSO REFERS TO ANY OTHER
44 SUBSTANCE AND/OR DEVICE, INCLUDING BLASTING CAPS OR ANY
45 OTHER COMPONENT OR PART OF DEVICES, WHICH CAUSES AN
46 EXPLOSION THAT IS CAPABLE OF PRODUCING THE SAID HARMFUL
47 EFFECTS ON ANY RESOURCES AND CAPABLE OF DAMAGING AND
48 ALTERING THE NATURAL HABITAT;

49 (AA) "GEAR" REFERS TO ANY INSTRUMENT OR DEVICE AND
50 ITS ACCESSORIES UTILIZED IN TAKING, CATCHING, GATHERING,
51 KILLING, HUNTING, DESTROYING, DISTURBING, REMOVING OR
52 POSSESSING RESOURCES WITHIN THE PROTECTED AREA;

53 (BB) "GENETICALLY MODIFIED ORGANISMS (GMOS)" REFER
54 TO ANY LIVING ORGANISM THAT POSSESSES A NOVEL
55 COMBINATION OF GENETIC MATERIAL OBTAINED THROUGH THE
56 USE OF MODERN BIOTECHNOLOGY;

1 (CC) "HABITAT" REFERS TO A PLACE OR TYPE OF
2 ENVIRONMENT WHERE SPECIES OR SUBSPECIES NATURALLY
3 OCCURS OR HAS NATURALLY ESTABLISHED ITS POPULATION;

4 (DD) "HUNTING" REFERS TO THE COLLECTION OF WILD
5 FAUNA FOR FOOD AND/OR RECREATIONAL PURPOSES WITH THE
6 USE OF WEAPONS SUCH AS GUNS, BOW AND ARROW, SPEARS,
7 TRAPS AND SNARES AND THE LIKE;

8 (EE) "INVASIVE ALIEN SPECIES" REFERS TO SPECIES
9 INTRODUCED DELIBERATELY OR UNINTENTIONALLY OUTSIDE
10 THEIR NATURAL HABITATS WHERE THEY HAVE THE ABILITY TO
11 ESTABLISH THEMSELVES, INVADE, OUT-COMPETE NATIVES AND
12 TAKE OVER THE NEW ENVIRONMENTS;

13 (FF) "KAYAKAS" REFERS TO THE FISHING METHOD
14 KNOWN AS THE LOCAL VERSION OF THE MURO-AMI BUT SMALLER
15 IN SIZE, USING BAMBOO OR TRUNK TREES AS SCARING DEVICES
16 ASIDE FROM COCONUT OR OTHER LEAVES OR MATERIALS TO
17 DRIVE THE FISHES AND OTHER MARINE RESOURCES OUT OF THE
18 CORAL REEFS, AT THE SAME TIME POUNDING THE CORALS;

19 (GG) "MANAGEMENT PLAN" REFERS TO THE FUNDAMENTAL
20 FRAMEWORK WHICH SHALL GUIDE ALL ACTIVITIES RELATING TO
21 EACH PROTECTED AREA IN ORDER TO ATTAIN THE OBJECTIVES OF
22 THIS ACT;

23 (HH) "MINERAL" REFERS TO ALL NATURALLY OCCURRING
24 INORGANIC SUBSTANCE IN SOLID, GAS, LIQUID, OR ANY
25 INTERMEDIATE STATE EXCLUDING ENERGY MATERIALS SUCH AS
26 COAL, PETROLEUM, NATURAL GAS, RADIOACTIVE MATERIALS, AND
27 GEOTHERMAL ENERGY;

28 (II) "MULTIPLE-USE ZONE" REFERS TO THE AREA WHERE
29 SETTLEMENT, TRADITIONAL AND/OR SUSTAINABLE LAND USE,
30 INCLUDING AGRICULTURE, AGRO-FORESTRY, EXTRACTION
31 ACTIVITIES AND OTHER INCOME GENERATING OR LIVELIHOOD
32 ACTIVITIES, MAY BE ALLOWED TO THE EXTENT PRESCRIBED IN
33 THE MANAGEMENT PLAN;

34 (JJ) "MURO-AMI" REFERS TO THE METHOD USED IN REEF
35 FISHING CONSISTING OF A MOVABLE BAGNET, DETACHABLE WINGS
36 AND SCARELINES HAVING PLASTIC STRIPS AND
37 IRON/STEEL/STONE WEIGHTS, EFFECTING FISH CAPTURE BY
38 SPREADING THE NET IN AN ARC AROUND REEFS OR SHOALS AND,
39 WITH THE USE OF THE SCARELINES, A CORDON OF PEOPLE DRIVE
40 THE FISH TOWARDS THE WAITING NET WHILE POUNDING THE
41 CORALS BY MEANS OF HEAVY WEIGHTS LIKE IRON/STEEL/STONE
42 OR ROCK MAKING IT DESTRUCTIVE TO CORALS;

43 (KK) "NONGOVERNMENT ORGANIZATION (NGO)" REFERS TO
44 THE AGENCY, INSTITUTION, FOUNDATION OR A GROUP OF PERSONS
45 WHOSE PURPOSE IS TO ASSIST PEOPLE'S
46 ORGANIZATIONS/ASSOCIATIONS IN VARIOUS WAYS INCLUDING,
47 BUT NOT LIMITED TO, ORGANIZING, EDUCATION, TRAINING,
48 RESEARCH AND/OR RESOURCE ACCESSING;

49 (LL) "NONRENEWABLE RESOURCES" REFER TO THOSE
50 RESOURCES THAT CANNOT BE REMADE, REGROWN OR
51 REGENERATED ON A SCALE COMPARATIVE TO ITS CONSUMPTION;

52 (MM) "NOXIOUS OR POISONOUS SUBSTANCES" REFER TO
53 ANY SUBSTANCE, PLANT EXTRACTS OR JUICE THEREOF, SODIUM
54 CYANIDE AND/OR CYANIDE COMPOUND OR, OTHER CHEMICALS
55 EITHER IN RAW OR PROCESSED FORM, HARMFUL OR HARMLESS
56 TO HUMAN BEINGS, WHICH WILL KILL, STUPEFY, DISABLE OR

1 RENDER UNCONSCIOUS ANY ORGANISM AND CAPABLE OF
2 DAMAGING AND ALTERING THE NATURAL HABITAT;

3 (NN) "PARK OPERATIONS SUPERINTENDENT (PASU)"
4 REFERS TO THE DEPARTMENT OF ENVIRONMENT AND NATURAL
5 RESOURCES (DENR) CHIEF OPERATING OFFICER OF THE
6 PROTECTED AREA;

7 (OO) "PEOPLE'S ORGANIZATION (PO)" REFERS TO THE
8 GROUP OF ORGANIZED MIGRANT COMMUNITIES AND/OR
9 INTERESTED INDIGENOUS PEOPLES WHICH MAY BE AN
10 ASSOCIATION, COOPERATIVE, FEDERATION, OR OTHER LEGAL
11 ENTITY, ESTABLISHED TO UNDERTAKE COLLECTIVE ACTION TO
12 ADDRESS COMMUNITY CONCERNS AND NEEDS, AND MUTUALLY
13 SHARE THE BENEFITS OF THE ENDEAVOR;

14 (PP) "POACHING" REFERS TO THE GATHERING,
15 COLLECTING OR POSSESSING ANY PRODUCTS OR NATURAL
16 RESOURCES FROM THE PROTECTED AREA, OR IN THE CASE OF
17 MARINE PROTECTED AREAS, OPERATING ANY FOREIGN FISHING
18 VESSELS BY ANY PERSON, CORPORATION OR ENTITY THEREIN
19 WITHOUT A PERMIT;

20 (QQ) "PROTECTED AREA OCCUPANTS" REFERS TO
21 PERSONS WHO ARE RESIDING, UTILIZING AND/OR CULTIVATING
22 AREAS WITHIN THE PROTECTED AREA; THEY MAY BE CLASSIFIED
23 AS PRIVATE OWNERS, TENURED MIGRANTS OR INFORMAL
24 SETTLERS;

25 (RR) "PROTECTED AREA RETENTION INCOME ACCOUNT"
26 REFERS TO THE ACCOUNT EACH PROTECTED AREA SHALL
27 ESTABLISH AND MAINTAIN FOR THE SEVENTY-FIVE (75%) OF
28 INCOME GENERATED BY THE PROTECTED AREA AUTHORIZED TO
29 BE RETAINED UNDER REPUBLIC ACT NO. 10629;

30 (SS) "PROTECTED SPECIES" REFERS TO ANY PLANT OR
31 ANIMAL DECLARED PROTECTED UNDER PHILIPPINE LAWS, RULES
32 AND REGULATIONS. THIS SHALL INCLUDE ALL SPECIES LISTED
33 UNDER THE CONVENTION ON INTERNATIONAL TRADE IN
34 ENDANGERED SPECIES OF WILD FAUNA AND FLORA AND ALL ITS
35 ANNEXES, THE CONVENTION ON THE CONSERVATION OF
36 MIGRATORY SPECIES, THOSE SPECIFIED UNDER THE RED LIST
37 CATEGORIES OF THE INTERNATIONAL UNION FOR CONSERVATION
38 OF NATURE, OR ANY PLANT OR ANIMAL WHICH THE PAMB OR ANY
39 GOVERNMENT AGENCY MAY DEEM NECESSARY FOR
40 CONSERVATION AND PRESERVATION IN THE PROTECTED AREA;

41 (TT) "RESOURCES" REFER TO ALL NATURAL
42 ENDOWMENTS, WHETHER AQUATIC OR TERRESTRIAL, LIVING OR
43 NON-LIVING, FOUND IN THE PROTECTED AREA;

44 (UU) "QUARRYING" REFERS TO THE PROCESS OF
45 EXTRACTING, REMOVING AND DISPOSING SAND, GRAVEL, GUANO,
46 LIMESTONE OR ANY MATERIAL RESOURCES FOUND ON OR
47 UNDERNEATH THE SURFACE OF PRIVATE OR PUBLIC LAND;

48 (VV) "THREATENED SPECIES" REFERS TO A GENERAL
49 TERM TO DENOTE SPECIES OR SUBSPECIES CONSIDERED AS
50 CRITICALLY ENDANGERED, ENDANGERED VULNERABLE OR OTHER
51 ACCEPTED CATEGORIES OF WILDLIFE WHOSE POPULATION IS AT
52 RISK OF EXTINCTION;

53 (WW) "WASTE" REFERS TO THE DISCARDED ITEMS OF
54 SOLID, LIQUID, CONTAINED GASEOUS OR SEMI-SOLID FORM, FROM
55 WHATEVER SOURCE, WHICH MAY CAUSE OR CONTRIBUTE TO THE

1 **DETERIORATION OF THE RESOURCES OR HABITATS IN THE**
2 **PROTECTED AREA; AND**

3 **(XX) "WILDLIFE" REFERS TO THE WILD FORMS AND**
4 **VARIETIES OF FLORA AND FAUNA, IN ALL DEVELOPMENTAL**
5 **STAGES, INCLUDING THOSE WHICH ARE IN CAPTIVITY OR ARE**
6 **BEING BRED, FED OR PROPAGATED."**

7 **SEC. 4.** Section 5 of Republic Act No. 7586 is hereby amended to read as
8 follows:

9 **"SEC. 5.** *Establishment and Extent of the System* – The
10 establishment and operationalization of the System shall involve the
11 following:

12 (a) All areas or islands in the Philippines proclaimed, designated
13 or set aside, pursuant to a law, presidential decree, presidential
14 proclamation or executive order as national park, game refuge, bird and
15 wildlife sanctuary, wilderness area, strict nature reserve, watershed,
16 mangrove reserve, fish sanctuary, natural and historical landmark,
17 protected and managed landscape/seascape as well as identified virgin
18 forests before the effectivity of this Act are hereby designated as initial
19 components of the System. The initial components of the System shall be
20 governed by existing laws, rules and regulations, not inconsistent with this
21 Act;

22 (b) Within one (1) year from the effectivity of this Act, the DENR
23 shall submit to the Senate and the House of Representatives a map and
24 legal descriptions or natural boundaries of each protected area initially
25 comprising the System. Such maps and legal description shall, by virtue
26 of this Act, constitute the official documentary representation of the entire
27 System, subject to such changes as Congress deems necessary;

28 (c) All DENR records pertaining to said protected areas, including
29 maps and legal descriptions or natural boundaries, copies of rules and
30 regulations governing them, copies of public notices of, and reports
31 submitted to Congress regarding pending additions, eliminations, or
32 modifications shall be made available to the public. These legal documents
33 pertaining to protected areas shall also be available to the public in the
34 respective DENR Regional Offices, Provincial Environment and Natural
35 Resources Offices (PENROs) and Community Environment and Natural
36 Resources Offices (CENROs) where NIPAS areas are located;

37 (d) Within three (3) years from the effectivity of this Act, the DENR
38 shall study and review each area tentatively composing the System as to
39 its suitability or non-suitability for preservation as protected area and
40 inclusion in the System according to the categories established in Section
41 3 hereof and report its findings to the President as soon as each study is
42 completed. The study [must include in] **FOR** each area **SHALL INCLUDE**
43 **THE FOLLOWING:**

- 44 (1) A forest occupants survey;
45 (2) An ethnographic study;
46 (3) A protected area resource profile;
47 (4) Land use plans done in coordination with the respective
48 Regional Development Councils; and
49 (5) Such other background studies as will be sufficient bases for
50 selection.

51 The DENR shall:

52 (i) Notify the public of proposed action through publication in a
53 newspaper of general circulation, and such other means as the System
54 deems necessary in the area or areas in the vicinity of the affected land
55 thirty (30) days prior to the public hearing;

(ii) Conduct public hearings at [the] locations nearest to the area affected;

(iii) At least thirty (30) days prior to the date of hearing, advise all Local Government Units (LGUs) in the affected areas, national agencies concerned, people's organizations and non-government organizations and invite such officials to submit their views on the proposed action at the hearing not later than thirty (30) days following the date of hearing; and

(iv) Give due consideration to the recommendations at the public hearing; and provide sufficient explanation for his recommendations contrary to the general sentiments expressed in the public hearing;

(e) Upon receipt of the recommendations of the DENR, the President shall issue a presidential proclamation designating the recommended areas as protected areas and providing for measures for their protection until such time when Congress shall have enacted a law finally declaring such recommended areas as part of the integrated protected area systems; [and]

(f) Thereafter, the President shall send to the Senate and the House of Representatives his recommendations with respect to the designations as protected areas or reclassification of each area on which review has been completed, together with maps and legal description of boundaries. The President, in his recommendation, may propose the alteration of existing boundaries of any or all proclaimed protected areas, addition of any contiguous area of public land of predominant physical and biological value. Nothing contained herein shall limit the President to propose, as part of his recommendation to Congress, additional areas which have not been designated, proclaimed or set aside by law, presidential decree, proclamation or executive orders as protected area/s.]; **AND**

(G) PURSUANT TO AND IN ACCORDANCE WITH THE NIPAS ACT, THE FOLLOWING PARCELS OF LAND ARE HEREBY DECLARED AND ESTABLISHED AS PROTECTED AREAS, THE PUBLIC LANDS THEREIN WITHIN THE LAND CLASSIFICATION OF NATIONAL PARK:

Name of Protected Area	Proclamation Number	Proclamation Date
	Number	
1. Abasig-Matogdon Mananap Natural Biotic Area	318	May 31, 2000
2. Agoo-Damortis Protected Landscape and Seascape	277	April 23, 2000
3. Agusan Marsh Wildlife Sanctuary	913	October 31, 1996
4. Alburquerque-Loay-Loboc Protected Landscape/Seascape	293	April 23, 2000
5. Aliguay Island Protected Landscape and Seascape	106	May 6, 1999
6. Aliwagwag Protected Landscape	139	April 5, 2011
7. Amro River Protected Landscape	274	April 23, 2000
8. Apo Island Protected Landscape/Seascape	438	August 9, 1994
9. Apo Reef Natural Park	868	September 6, 1996
10. Baliangao Protected Landscape and Seascape	418	November 22, 2000
11. Balinsasayao Twin Lakes Natural Park	414	November 21, 2000
12. Basilan Natural Biotic Area	321	May 31, 2000
13. Bataan Natural Park	192 and 24	November 27, 1987 and December 1, 1945
14. Bessang Pass Natural Monument/ Landmark	284	April 23, 2000
15. Bicol Natural Park	43	December 29, 2000
16. Bigbiga Protected Landscape	290	April 23, 2000
17. Biri Larosa Protected Landscape/Seascape	291	April 23, 2000
18. Bongsanglay Natural Park	319	May 31, 2000
19. Buenavista Protected Landscape	294	April 23, 2000
20. Bulusan Volcano Natural Park	421	November 27, 2000
21. Buug Natural Biotic Park	63	December 22, 1998
22. Calbayog-Pan-As Hayiban Protected Landscape	1158	February 3, 1998
23. Camotes Island Mangrove Swamp Forest Reserve	2152	December 29, 1981
24. Casecnan Protected Landscape	289	April 23, 2000
25. Catanduanes Watershed Forest Reserve	123	June 23, 1987
26. Chico Island Wildlife Sanctuary	272	April 23, 2000
27. Chocolate Hills Natural Monument	1037	July 1, 1997
28. Cuatro Islas Protected Landscape/Seascape	270	April 23, 2000
29. Dinadiawan River Protected Landscape	278	April 23, 2000

30.	Dumanquilas Bay Protected Landscape and Seascape	158	August 10, 1999
31.	El Nido Managed Resource Protected Area	32	October 8, 1998
32.	Guluan Protected Landscape/Seascape	469	September 26, 1994
33.	Hinulugan Taktak Protected Landscape	412	November 17, 2000
34.	Initao-Libertad Protected Landscape and Seascape	260	September 16, 2002
35.	Jose Rizal Memorial Protected Landscape	279	April 23, 2000
36.	Kalbario-Patapat Natural Park	1275	April 20, 2007
37.	Lagonoy Natural Biotic Area	297	April 24, 2000
38.	Lake Danao Natural Park	1155	February 3, 1998
39.	Las Piñas-Parañaque Critical Habitat and Ecotourism Area		1412 April 22, 2007
40.	Libunao Protected Landscape	280	April 23, 2000
41.	Lidlidda Protected Landscape	266	April 23, 2000
42.	Mabini Protected Landscape and Seascape	316	May 31, 2000
43.	Mahagao Volcano Natural Park	1157	February 3, 1998
44.	Malabungot Protected Landscape and Seascape	288	April 23, 2000
45.	Malampaya Sound Protected Landscape and Seascape	342	July 12, 2000
46.	Manleluag Spring Protected Landscape	576	March 10, 1994
47.	Marinduque Wildlife Sanctuary	696	August 17, 2004
48.	Masinloc and Oyon Bay Marine Reserve	231	August 18, 1993
49.	Mati Protected Landscape	912	September 6, 2005
50.	Maulawin Spring Protected Landscape	295	April 23, 2000
51.	Mayon Volcano Natural Park	413	November 21, 2000
52.	Mt. Balatukan Range Natural Park	1249	May 6, 2007
53.	Mt. Calavite Wildlife Sanctuary	292	April 23, 2000
54.	Mt. Guiting-Guiting Natural Park	746	February 20, 1996
55.	Mts. Iglit-Baco Natural Park	557	May 8, 1969
56.	Mt. Inayawan Range Natural Park	1344	July 30, 2007
57.	Mt. Isarog Natural Park	214	June 20, 2002
58.	Mt. Kalatungan Range Natural Park	305	May 5, 2000
59.	Mt. Mantalingahan Protected Landscape	1815	June 23, 2009
60.	Mt. Matutum Protected Landscape	552	March 20, 1995
61.	Mts. Palay-Palay and Mataas na Gulod Protected Landscape		1315 June 27, 2007
62.	Mt. Timpoong and Hibok-Hibok Natural Monument	570	March 9, 2004
63.	Mount Timolan Protected Landscape	354	August 14, 2000
64.	Murcielagos Island Protected Landscape and Seascape	281	April 23, 2000
65.	Naro Island Wildlife Sanctuary	317	May 31, 2000
66.	Ninoy Aquino Parks and Wildlife Center	723	October 25, 2004
67.	Northern Negros Natural Park	895	August 15, 2005
68.	Northwest Panay Peninsula Natural Park	186	April 18, 2002
69.	Olango Island Wildlife Sanctuary	903	May 14, 1992
70.	Palau Island Marine Reserve	447	August 28, 1994
71.	Pamitinan Protected Landscape	901	October 10, 1996
72.	Panglao Island Protected Seascape	426	July 22, 2003
73.	Pasonanca Natural Park	132	July 5, 1999
74.	Peñablanca Protected Landscape and Seascape	484	October 6, 2003
75.	Puerto Princesa Subterranean River National Park	212	November 12, 1999
76.	Pujada Bay Protected Landscape/Seascape	431	July 31, 1994
77.	Quezon Protected Landscape	394	June 2, 2007
78.	Quirino Protected Landscape	779 and	February 3, 2005 and
		548	February 9, 2004
79.	Rajah Sikatuna Protected Landscape	287	April 23, 2000
80.	Rasa Island Wildlife Sanctuary	1000	February 15, 2006
81.	Roosevelt Protected Landscape	273	April 23, 2000
82.	Salcedo Protected Landscape	296	April 23, 2000
	(formerly Santa Lucia Protected Landscape)		
83.	Salinas Natural Monument	275	April 23, 2000
84.	Samar Island Natural Park	442	August 13, 2003
85.	Sarangani Bay Protected Seascape	756	March 5, 1996
86.	Selinog Island Protected Landscape and Seascape	276	April 23, 2000
87.	Siargao Islands Protected Landscape and Seascape	902	October 10, 1996
88.	Sibalom Natural Park	282	April 23, 2000
89.	Simbahan-Talagas Protected Landscape	267	April 23, 2000
90.	Slocon Resource Reserve	84	February 24, 1999
91.	Taal Volcano Protected Landscape	923	November 19, 1996
92.	Talaytay Protected Landscape	283	April 23, 2000
93.	Talibon Group of Islands Protected Landscape/Seascape	131	July 5, 1999
94.	Tañon Strait Protected Seascape	1234	May 27, 1998
95.	Tumauini Watershed Forest Reserve	355	April 4, 1994
96.	Turtle Islands Wildlife Sanctuary	171	August 26, 1999
97.	Upper Marikina River Basin Protected Landscape	296	November 24, 2011

THE LOCATION AND BOUNDARIES OF EACH PROTECTED AREA AS DESCRIBED IN THE ATTACHED ANNEX WHICH SHALL FORM AN INTEGRAL PART OF THIS ACT, ARE HEREBY ADOPTED.

1
2 **THE DENR, WITH THE ASSISTANCE OF OTHER GOVERNMENT**
3 **AGENCIES IF NECESSARY, SHALL DELINEATE AND DEMARCAT**
4 **ON THE GROUND THE BOUNDARIES OF EACH PROTECTED AREA WHICH**
5 **SHALL NOT BE MODIFIED EXCEPT BY AN ACT OF CONGRESS."**
6

7 **SEC. 5.** Section 8 of Republic Act No. 7586 is hereby amended to read as follows:

8 "SEC. 8. *Buffer Zones.* – [For each protected area, there shall be
9 established peripheral buffer zones when necessary, in the same manner
10 as Congress establishes the protected area, to protect the same from
11 activities that will directly and indirectly harm it. Such buffer zones shall
12 be included in the individual protected area management plan that shall
13 prepared for each protected area. The DENR shall exercise its authority
14 over protected areas as provided in this Act on such area and designated
15 as buffer zones.] **BUFFER ZONES SURROUNDING THE PROTECTED**
16 **AREAS SHALL BE ESTABLISHED BY THE PAMB, WHEN NECESSARY**
17 **FOR THE PURPOSE OF PROVIDING AN EXTRA LAYER OF**
18 **PROTECTION WHERE RESTRICTIONS CAN APPLY AND**
19 **COMMUNITIES CAN ASSIST IN REPELLING THREATS TO THE**
20 **PROTECTED AREA WITHOUT NEED FOR CONGRESSIONAL ACTION.**
21 **SUCH BUFFER ZONES MAY INCLUDE PUBLIC OR PRIVATE LANDS.**
22 **MANAGEMENT PRESCRIPTION OF THE BUFFER ZONES SHALL BE**
23 **INCLUDED AS A COMPONENT OF THE PROTECTED AREA**
24 **MANAGEMENT PLAN."**
25

26 **SEC. 6.** Section 9 of Republic Act No. 7586 is hereby amended to read as follows:

27 "SEC. 9. *Management Plans.* – **THERE SHALL BE A**
28 **MANAGEMENT PLAN PROMULGATED FOR EACH PROTECTED AREA**
29 **THAT SHALL SERVE AS THE BASIC LONG-TERM FRAMEWORK PLAN**
30 **IN THE MANAGEMENT OF THE PROTECTED AREA AND GUIDE IN THE**
31 **PREPARATION OF ITS ANNUAL OPERATIONS PLAN AND BUDGET.**

32 [There shall be a general management planning strategy to serve as
33 guide in formulating individual plans for each protected area.] The
34 [management planning] strategy **FOR THE MANAGEMENT PLAN** shall, at
35 the minimum, promote the adoption and implementation of innovative
36 management techniques including if necessary, the concept of zoning,
37 buffer zone management for multiple use and protection, habitat
38 conservation and rehabilitation, diversity management, community
39 organizing, socioeconomic and scientific researches, site-specific policy
40 development, pest management, and fire control. [The management
41 planning strategy] **IT** shall also provide guidelines for the protection of
42 indigenous cultural communities, other tenured migrant communities and
43 sites for close coordination between and among local agencies of the
44 Government as well as the private sector.

45 Each component area of the System shall be planned and
46 administered to further protect and enhance the permanent preservation
47 of its natural conditions. A management manual shall be formulated and
48 developed which must contain the following: an individual management
49 plan [prepared by three (3) experts], basic background information, field
50 inventory of the resources within the area, an assessment of assets and
51 limitations, regional interrelationships, particular objectives for managing
52 the area, appropriate division of the area into management zones, a review
53 of the boundaries of the area, and a design of the management programs.
54

55 **WITHIN ONE (1) YEAR FROM THE EFFECTIVITY OF THIS ACT,**
56 **THE MANAGEMENT PLAN SHALL BE PUT INTO EFFECT FOLLOWING**

1 THE GENERAL MANAGEMENT PLANNING STRATEGY PROVIDED FOR
2 UNDER THE NIPAS ACT AND ACCORDING TO THE PROCEDURE
3 HEREIN SET FORTH.
4

5 THE MANAGEMENT PLAN SHALL BE PREPARED BY THE PASU
6 IN COORDINATION WITH THE APPROPRIATE OFFICES OF THE
7 NATIONAL GOVERNMENT SUCH AS THE DENR, NATIONAL
8 COMMISSION ON INDIGENOUS PEOPLES (NCIP), IF APPLICABLE,
9 DEPARTMENT OF AGRICULTURE (DA), LOCAL GOVERNMENT UNITS,
10 PRIVATE SECTOR, CIVIL SOCIETY ORGANIZATIONS, AND LOCAL
11 AND INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES
12 (ICCS/IPS). IT SHALL BE REVIEWED AND APPROVED BY THE PAMB
13 AND ENDORSED, THROUGH THE BIODIVERSITY MANAGEMENT
14 BUREAU (BMB), TO THE SECRETARY OF THE DENR. THE
15 MANAGEMENT PLAN SHALL TAKE EFFECT AFTER THIRTY (30) DAYS
16 FROM THE DATE OF RECEIPT THEREOF BY THE SECRETARY OF
17 THE DENR: PROVIDED, HOWEVER, THAT THE SECRETARY OF THE
18 DENR, MAY REVISE AND MODIFY THE MANAGEMENT PLAN BEFORE
19 THE EXPIRATION OF THE SAID 30-DAY PERIOD TO ENSURE
20 CONFORMITY WITH APPLICABLE LAWS, RULES AND REGULATIONS.
21

22 THE MANAGEMENT PLAN SHALL BE MODIFIED AND UPDATED
23 REGULARLY AND IN ACCORDANCE WITH STUDIES, SIMILAR
24 RESOURCES ASSESSMENTS AND SURVEYS AS WELL AS RELEVANT
25 DEVELOPMENTS ON BIODIVERSITY CONSERVATION. THE
26 MANAGEMENT PLAN SHALL BE DISTRIBUTED TO OTHER
27 GOVERNMENT AGENCIES, LOCAL GOVERNMENT UNITS, CIVIL
28 SOCIETY ORGANIZATIONS, PRIVATE SECTOR, AND INDIGENOUS
29 AND LOCAL COMMUNITIES, WITH THE GOAL OF PROPER
30 COORDINATION AND UNIFORM MANAGEMENT OF PROTECTED
31 AREAS. ALL CONCERNED LOCAL GOVERNMENT UNITS SHALL
32 INTEGRATE AND MAINSTREAM THE MANAGEMENT PLAN INTO
33 THEIR POLICIES, PROGRAMS AND LOCAL DEVELOPMENT PLANNING
34 PROCESS. THE BMB SHALL MONITOR THE IMPLEMENTATION OF
35 THE MANAGEMENT PLAN TO ENSURE COMPLIANCE AND
36 CONSISTENCY WITH BIODIVERSITY CONSERVATION OBJECTIVES.
37

38 A YEAR BEFORE THE EXPIRATION OF THE PERIOD OF THE
39 APPLICABILITY OF THE PLAN IN EFFECT, THE PASU SHALL CAUSE
40 PUBLICATION OF NOTICES ON THE SUCCESSOR PLAN IN TWO (2)
41 NEWSPAPERS OF GENERAL AND LOCAL CIRCULATION IN THE
42 CONCERNED LOCALITIES. NOTICES SHALL ALSO BE POSTED IN THE
43 PROVINCIAL HALL, CITY AND/OR MUNICIPAL HALLS COVERING THE
44 PROTECTED AREA AS WELL AS IN THE BARANGAY HALLS BOUNDING
45 OR IMMEDIATELY ADJACENT TO THE PROTECTED AREA. THE
46 PROPOSED PLAN SHALL BE MADE AVAILABLE TO THE PUBLIC
47 DURING THE PERIOD FOR COMMENT AND A FINAL PLAN SHALL
48 LIKEWISE BE MADE AVAILABLE FOR PUBLIC PERUSAL AT THE
49 OFFICES OF THE PASU AND THE DENR-REGIONAL DIRECTOR UPON
50 THE APPROVAL OF THE PAMB: PROVIDED, THAT THE PLANS SHALL
51 BE PLAINLY WRITTEN IN A LANGUAGE UNDERSTANDABLE IN THE
52 AREA: PROVIDED FURTHER, THAT THESE SHALL BE POSTED AND
53 UPLOADED ON THE WEBSITES OF THE DENR REGIONAL OFFICES.
54

55 **SEC. 7.** Section 11 of Republic Act No. 7586 is hereby amended to read as
56 follows:

1 "SEC. 11. *Protected Area Management Board.* – There shall be a
2 Protected Area Management Board for each of the established protected
3 area, **AS WELL AS AREAS THAT ARE STILL TO BE DESIGNATED**, and
4 shall be composed of the following: the Regional [Executive] Director under
5 whose jurisdiction the protected area is located, **AS CHAIRPERSON**; one
6 (1) representative from the autonomous regional government, if applicable;
7 **GOVERNOR/S OF THE PROVINCE/S COVERING THE PROTECTED**
8 **AREA**; the Provincial **PLANNING AND** Development **COORDINATORS**
9 **(PPDC) OF THE PROVINCE/S COVERING THE PROTECTED AREA**; [one
10 (1) representative from the municipal government] **MAYOR/S OF THE**
11 **CITY/CITIES AND/OR MUNICIPALITY/MUNICIPALITIES COVERING**
12 **THE PROTECTED AREA OR THEIR DULY DESIGNATED**
13 **REPRESENTATIVE/S**; [one (1) representative from each barangay] **THE**
14 **CHAIRPERSONS OF THE BARANGAYS** covering the protected area **OR**
15 **THEIR DULY DESIGNATED REPRESENTATIVES**; one (1) representative
16 from each [tribal] **INDIGENOUS PEOPLES/INDIGENOUS CULTURAL**
17 **communit[y]IES**, if applicable; at least [three (3)] **ONE BUT NOT MORE**
18 **THAN FIVE (5)** representatives from non-government organizations
19 (NGOs)/local community organizations duly accredited by the DENR or
20 the local government unit operating in the protected area, which has been
21 existing for five (5) years with track records related to the protection and
22 management of the protected area; **AT LEAST ONE BUT NOT MORE**
23 **THAN THREE (3) REPRESENTATIVES FROM ACCREDITED PEOPLE'S**
24 **ORGANIZATIONS (POS) OPERATING IN THE PROTECTED AREA,**
25 **WHICH HAS BEEN EXISTING FOR FIVE (5) YEARS WITH PROVEN**
26 **TRACK RECORD RELATED TO THE PROTECTION AND MANAGEMENT**
27 **OF THE PROTECTED AREA; ONE REPRESENTATIVE FROM AN**
28 **ACADEMIC INSTITUTION WITH PROVEN TRACK RECORD RELATED**
29 **TO THE PROTECTION AND MANAGEMENT OF THE PROTECTED**
30 **AREA; AND** one (1) representative from other departments or national
31 government agencies involved in **THE PROTECTION AND MANAGEMENT**
32 **OF** protected area**S** [management] **OR HAS LONG-TERM PROJECTS OR**
33 **A PERMANENT FACILITY LOCATED THEREIN;**
34

35 **THE PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES**
36 **OFFICER (PENRO) OR A PROVINCIAL OFFICER HOLDING AN**
37 **EQUIVALENT POSITION SHALL BE AN EX OFFICIO MEMBER OF THE**
38 **PAMB.**
39

40 The Board shall, by a majority vote, decide the allocations for
41 budget, approve proposals for funding, decide matters relating to planning,
42 peripheral protection and general administration of the area in accordance
43 with the general management strategy. The members of the Board shall
44 serve for a term of five (5) years without compensation, except for the
45 actual and necessary traveling and subsistence expenses incurred in the
46 performance of their duties, **EITHER IN THEIR ATTENDANCE IN**
47 **MEETINGS OF THE PAMB OR IN CONNECTION WITH OTHER**
48 **OFFICIAL BUSINESS AUTHORIZED BY A RESOLUTION OF THE PAMB,**
49 **SUBJECT TO EXISTING RULES AND REGULATIONS. EACH MEMBER**
50 **SHALL BE CONSIDERED TO REPRESENT HIS OR HER SECTOR AND**
51 **IS DEEMED TO CARRY THE VOTE OF SUCH SECTOR IN ALL**
52 **MATTERS. IN THE CASE OF MEMBERS WHO ARE GOVERNMENT**
53 **OFFICIALS, THEIR APPOINTMENT SHALL BE CO-TERMINUS WITH**
54 **THEIR TERM OF OFFICE. THE MEMBERS OF THE BOARD** [they] shall
55 be appointed by the Secretary of the DENR as follows:

1 (a) A member who shall be appointed to represent each local
2 government down to barangay level whose territory or portion is included
3 in the protected area. Each appointee shall be the person designated by
4 the head of such LGU, except for the Provincial Development Officer who
5 shall serve ex officio;

6 (b) A member from non-government organizations who shall be
7 endorsed by heads of organizations which are preferably based in the area
8 or which have established and recognized interest in protected areas;

9 (c) The RED/s in the region/s where such protected area lies shall
10 sit as ex officio member of the Board and shall serve as adviser/s in
11 matters related to the technical aspect of management of the area; and

12 (d) The RED shall act as chairman of the Board. When there are
13 two (2) or more REDs in the Board, the Secretary shall designate one (1) of
14 them to be the Chairman. Vacancies shall be filled in the same manner as
15 the original appointment.
16

17 **AS A TRANSITORY PROVISION, THE INITIAL MEMBERS OF THE**
18 **PAMB SHALL BE NOMINATED FROM THE CURRENT MEMBERS OF**
19 **THE EXISTING PAMB OF THE PROTECTED AREA: PROVIDED, THAT**
20 **AT LEAST TWENTY (20%) OF THE PAMB MEMBERS SHALL BE**
21 **WOMEN PURSUANT TO REPUBLIC ACT NO. 9710 OR THE MAGNA**
22 **CARTA OF WOMEN.**
23

24 **A MEMBER MAY BE REMOVED FOR ANY OF THE FOLLOWING**
25 **GROUND:**

26 (A) MORE THAN THREE (3) CONSECUTIVE UNEXCUSED
27 ABSENCES DURING REGULARLY SCHEDULED MEETINGS OF THE
28 MANAGEMENT BOARD;

29 (B) COMMISSION OF ACTS PREJUDICIAL TO THE
30 MANAGEMENT OF PROTECTED AREAS AS EMBODIED IN SECTION 20
31 OF THE NIPAS ACT OR OTHER EXISTING RULES AND REGULATIONS
32 GOVERNING PROTECTED AREAS;

33 (C) DISSOCIATION FROM THE OFFICE OR ORGANIZATION
34 BEING REPRESENTED;

35 (D) DISSOLUTION OF THE OFFICER OR ORGANIZATION BEING
36 REPRESENTED; AND

37 (E) CONVICTION BY FINAL JUDGMENT OF ANY CRIMINAL ACT.
38

39 **THE REPRESENTATIVES FROM THE LOCAL GOVERNMENT**
40 **UNITS (LGUS) AND NATIONAL AGENCIES IN THE PAMB SHALL**
41 **INFORM THEIR RESPECTIVE CONSTITUENTS, OFFICES OR**
42 **SECTORS, OF PAMB-APPROVED OR OTHER RELEVANT POLICIES,**
43 **RULES, REGULATIONS, PROGRAMS AND PROJECTS AND TO ENSURE**
44 **THAT THE PROVISIONS OF THIS ACT, THE NIPAS ACT AND ITS**
45 **IMPLEMENTING RULES AND REGULATIONS ARE OBSERVED,**
46 **COMPLIED WITH, AND USED AS REFERENCE AND FRAMEWORK IN**
47 **THEIR RESPECTIVE PLANS, POLICIES, PROGRAMS AND PROJECTS.**
48 **FAILURE TO COMPLY WITH THE FOREGOING SHALL SUBJECT SUCH**
49 **REPRESENTATIVE TO DISCIPLINARY ACTION AS THE PAMB MAY**
50 **PROVIDE."**
51

52 **SEC. 8.** Insert three (3) new sections after Section 11 of Republic Act No. 7586
53 to read as follows:

54 **"SEC. 11.1. POWERS AND FUNCTIONS OF THE PAMB. - THE**
55 **PAMB OF THE PROTECTED AREA, WHICH SHALL DECIDE BY**
56 **CONSENSUS OR MAJORITY VOTE OF THE MEMBERS PRESENT**

1 CONSTITUTING A QUORUM OF MAJORITY OF ALL THE MEMBERS,
2 SHALL HAVE THE FOLLOWING POWERS AND FUNCTIONS:

3 (A) ISSUE RULES AND REGULATIONS FOR THE RESOLUTION
4 OF CONFLICTS THROUGH APPROPRIATE AND EFFECTIVE MEANS;

5 (B) ADOPT RULES OF PROCEDURES IN THE CONDUCT OF
6 BUSINESS, INCLUDING THE CREATION OF COMMITTEES TO WHICH
7 ITS POWERS MAY BE DELEGATED;

8 (C) APPROVE THE MANAGEMENT PLAN AND ANNUAL WORK
9 AND FINANCIAL PLANS, ALLOCATE RESOURCES AND OVERSEE THE
10 OFFICE OF THE PASU;

11 (D) ESTABLISH CRITERIA AND SET FEES FOR THE ISSUANCE
12 OF PERMITS FOR ACTIVITIES REGULATED BY THIS ACT OR THE
13 MANAGEMENT PLAN;

14 (E) RECOMMEND THE DEPUTIZATION OF APPROPRIATE
15 AGENCIES AND INDIVIDUALS FOR THE ENFORCEMENT OF THE
16 LAWS, RULES AND REGULATIONS GOVERNING THE CONDUCT OR
17 MANAGEMENT OF THE PROTECTED AREA;

18 (F) APPROVE FEES AND CHARGES IN ACCORDANCE WITH
19 EXISTING GUIDELINES AND RAISE FUNDS FOR THE PROTECTED
20 AREA;

21 (G) MANAGE THE ALLOCATION OF THE PROTECTED AREA
22 RETENTION INCOME ACCOUNT, AND OTHER FUNDS FOR THE
23 PROTECTED AREA, ENSURE THEIR PROPER ADMINISTRATION AND
24 RENDER ACCOUNTING IN ACCORDANCE WITH SECTION 16 OF THIS
25 ACT; AND

26 (H) RECOMMEND APPROPRIATE POLICY CHANGES TO THE
27 DENR AND OTHER GOVERNMENT AUTHORITIES;

28 PAMBS WITH OVER TWENTY-FIVE (25) MEMBERSHIPS MAY
29 CREATE EXECUTIVE COMMITTEES (EXECOMS) WHICH SHALL
30 PERFORM ALL THE ABOVE FUNCTIONS. EACH MEMBER OF THE
31 EXECOM SHALL ACT AS A REPRESENTATIVE OF THE PAMB AS A
32 WHOLE AND ARE ANSWERABLE TO THE PAMB EN BANC. IN SUCH
33 CASES, THE PAMB EN BANC SHALL RETAIN THE RIGHT TO RATIFY
34 THE FOLLOWING DECISIONS:

35 (1) APPROVAL OF THE MANAGEMENT PLAN;

36 (2) APPROVAL OF ANNUAL WORK AND FINANCIAL PLANS; AND

37 (3) APPROVAL OF FEES AND CHARGES FOR USE OF
38 PROTECTED AREA RESOURCES.

39 THE DENR, THROUGH THE REGIONAL DIRECTOR, SHALL
40 ENSURE THAT THE PAMB ACTS WITHIN THE SCOPE OF ITS POWERS
41 AND FUNCTIONS. IN CASE OF CONFLICT BETWEEN THE
42 RESOLUTIONS ISSUED BY THE PAMB AND THE EXISTING
43 ADMINISTRATIVE ORDERS OF NATIONAL APPLICATION, THE
44 LATTER SHALL PREVAIL."

45 "SEC. 11.2. THE PROTECTED AREA MANAGEMENT OFFICE
46 (PAMO). -THERE IS HEREBY ESTABLISHED A PROTECTED AREA
47 MANAGEMENT OFFICE (PAMO) IN THE PROTECTED AREA TO BE
48 HEADED BY A PARK OPERATIONS SUPERINTENDENT (PASU) WITH
49 PERMANENT PLANTILLA POSITION. THE PAMO SHALL HAVE
50 COMPLEMENT STAFF WITH PLANTILLA APPOINTMENT,
51 SUPPORTED BY FIELD OFFICERS WHO SHALL BE PERFORMING
52 THE DAY TO DAY MANAGEMENT, PROTECTION AND
53 ADMINISTRATION OF THE PROTECTED AREA. UPON
54 RECOMMENDATION OF THE PAMB, THE DENR REGIONAL
55 DIRECTOR SHALL DEPUTIZE LOCAL COMMUNITY LEADERS AND
56 ENVIRONMENT AND NATURAL RESOURCES OFFICERS.

1 THE DENR SHALL APPOINT A PASU WHO SHALL BE PRIMARILY
2 ACCOUNTABLE TO THE PAMB AND THE DENR FOR THE
3 IMPLEMENTATION OF THE MANAGEMENT PLAN AND OPERATIONS
4 OF THE PROTECTED AREA. AS SUCH, THE PASU SHALL HAVE THE
5 FOLLOWING DUTIES AND RESPONSIBILITIES:

6 (A) ESTABLISHES, OPERATES AND MAINTAINS A DATABASE
7 MANAGEMENT SYSTEM AS DECISION SUPPORT TOOL;

8 (B) PREPARES THE MANAGEMENT PLANS AS HEREIN
9 DEFINED;

10 (C) PROVIDES A SECRETARIAT FOR THE PAMB AND ITS
11 COMMITTEES AND SUPPLY THE PAMB WITH ALL THE NECESSARY
12 INFORMATION TO MAKE APPROPRIATE DECISIONS FOR THE
13 IMPLEMENTATION OF THIS ACT;

14 (D) FORMULATES, PREPARES AND SUBMITS TO THE PAMB
15 THE DRAFT IMPLEMENTING RULES AND REGULATIONS OF THE
16 PROTECTED AREA;

17 (E) ENFORCES THE LAWS, RULES AND REGULATIONS
18 RELEVANT TO THE PROTECTED AREA, COMMENCES AND
19 INSTITUTES LEGAL ACTION INDEPENDENTLY OR IN
20 COLLABORATION WITH OTHER GOVERNMENT AGENCIES OR
21 ORGANIZATIONS AND ASSISTS IN THE PROSECUTION OF OFFENSES
22 COMMITTED IN VIOLATION OF THIS ACT;

23 (F) MONITORS ALL ACTIVITIES WITHIN THE PROTECTED
24 AREA TO ENSURE ITS CONFORMITY WITH THE MANAGEMENT
25 PLAN;

26 (G) REQUESTS FOR AND RECEIVES ANY TECHNICAL
27 ASSISTANCE, SUPPORT OR ADVICE FROM ANY AGENCY OR
28 INSTRUMENTALITY OF THE GOVERNMENT AS WELL AS ACADEMIC
29 INSTITUTIONS, NON-GOVERNMENT ORGANIZATIONS AND THE
30 PRIVATE SECTOR AS MAY BE NECESSARY FOR THE EFFECTIVE
31 MANAGEMENT, PROTECTION AND ADMINISTRATION OF THE
32 PROTECTED AREA;

33 (H) ISSUES PERMITS, INCLUDING CUTTING PERMITS WHEN
34 WARRANTED, FOR ACTIVITIES THAT IMPLEMENT THE
35 MANAGEMENT PLAN AND OTHER PERMITTED ACTIVITIES IN
36 ACCORDANCE WITH TERMS, CONDITIONS AND CRITERIA
37 ESTABLISHED BY PAMB: PROVIDED, THAT ALL EXTRACTION
38 ACTIVITIES, INCLUDING COLLECTION FOR RESEARCH PURPOSES
39 SHALL CONTINUE TO BE ISSUED BY RELEVANT AUTHORITIES IN
40 ACCORDANCE WITH THE SPECIFIC ACTS COVERING THEM;

41 (I) ENSURES THE INTEGRATION OF THE PROTECTED AREA
42 MANAGEMENT POLICIES, REGULATIONS, PROGRAMS AND
43 PROJECTS TO ALL THE CONCERNED NATIONAL AND LOCAL
44 GOVERNMENT UNITS LEVEL; AND

45 (J) PERFORMS SUCH OTHER FUNCTIONS AS THE PAMB MAY
46 DELEGATE."
47

48 **SEC. 9.** Insert a new section after Section 13 of Republic Act No. 7586 to read
49 as follows:

50 "SEC. 13.1. **RECOGNITION OF INDIGENOUS PEOPLES AND**
51 **LOCAL COMMUNITIES CONSERVED AREAS AND TERRITORIES.** - (A)
52 PURSUANT TO SECTIONS 7(B), 9(A) AND 58 OF REPUBLIC ACT NO.
53 8371, OTHERWISE KNOWN AS THE "INDIGENOUS PEOPLES RIGHTS
54 ACT OF 1997" OR IPRA, INDIGENOUS PEOPLES AND INDIGENOUS
55 COMMUNITIES CONSERVED AREAS (ICCAS) AND TERRITORIES
56 WITHIN THE PROTECTED AREA SHALL BE RECOGNIZED AND

1 RESPECTED. THE PAMB AND PASU SHALL ASSIST ICCS/IPS
2 CONCERNED IN THE IDENTIFICATION, MAPPING, DOCUMENTATION
3 AND REGISTRATION OF ICCAS, AND THE PREPARATION OF
4 COMMUNITY CONSERVATION PLANS. THE IDENTIFIED ICCAS AND
5 THE COMMUNITY CONSERVATION PLANS SHALL BE HARMONIZED
6 WITH THE PROTECTED AREA MANAGEMENT PLAN AND ZONING.
7 THE PROTECTED AREAS MANAGEMENT PLAN (PAMP) SHALL
8 INCLUDE A COMPONENT ON ICCAS. THE DOCUMENTATION AND
9 MAPPING OF ICCAS SHALL BE UNDERTAKEN IN THE PREPARATION,
10 MODIFICATION OR REVISION OF THE PAMP. THE PAMB SHALL
11 LIKEWISE CONSIDER ICCA ISSUES AND CONCERNS IN ALL
12 MANAGEMENT PLANNING AND DECISION-MAKING PROCESSES. THE
13 PAMP AND ANCESTRAL DOMAIN SUSTAINABLE DEVELOPMENT AND
14 PROTECTION PLAN (ADSDPP) SHALL BE HARMONIZED TO ENSURE
15 THE PROTECTION OF BIODIVERSITY, SUSTAINABLE USE OF
16 NATURAL RESOURCES, AND TO MAINTAIN CULTURAL INTEGRITY.”
17

18 **SEC. 10.** Section 14 of Republic Act No. 7586 is hereby amended to read as
19 follows:

20 “SEC. 14. [Survey for] *Energy Resources*. – Consistent with the
21 policies declared in Section 2 hereof, protected areas, except strict nature
22 reserves and natural parks, may be subjected to exploration only for the
23 purpose of gathering information on energy resources and only if such
24 activity is carried out with the least damage to surrounding areas. Surveys
25 shall be conducted only in accordance with a program approved by the
26 DENR, and the result of such surveys shall be made available to the public
27 and submitted to the President for recommendation to Congress. Any
28 exploitation and utilization of energy resources found within NIPAS areas
29 shall be allowed only through a law passed by Congress.

30 **ENERGY PROJECTS WITHIN THE PROTECTED AREA SHALL BE**
31 **PERMITTED ONLY THROUGH AN ACT OF CONGRESS EXCEPT**
32 **RENEWABLE ENERGY PROJECTS ALL OF WHICH THE PAMB MAY**
33 **ALLOW WITH THE CONCURRENCE OF THE DENR SECRETARY:**
34 **PROVIDED, THAT THESE RENEWABLE ENERGY PROJECTS WILL NOT**
35 **BE DETRIMENTAL TO ECOSYSTEM FUNCTION AND BIODIVERSITY,**
36 **ARE LOCATED OUTSIDE THE STRICT PROTECTION ZONES, ADOPT**
37 **REDUCED IMPACT TECHNOLOGIES, AND UNDERGO THE**
38 **ENVIRONMENTAL IMPACT ASSESSMENT (EIA) SYSTEM AS**
39 **PROVIDED BY LAW: PROVIDED, FURTHER, THAT BIOMASS PLANTS**
40 **SHALL NOT BE INCLUDED AMONG THE RENEWABLE ENERGY**
41 **PROJECTS ALLOWED THEREIN: PROVIDED, FINALLY, THAT A**
42 **SUFFICIENT BOND SHALL BE DEPOSITED TO THE IPAF TO BE**
43 **RELASED TO THE DEPOSITOR UPON THE DECOMMISSIONING OF**
44 **ALL EQUIPMENT, STRUCTURES AND IMPROVEMENTS IN ORDER TO**
45 **REHABILITATE THE SITE ACCORDING TO THE ZONES AND**
46 **OBJECTIVES UNDER THE MANAGEMENJT PLANS AS ATTESTED TO**
47 **BY THE PAMB.”**

48 **SEC. 11.** Section 16 of Republic Act No. 7586, as amended by Republic Act No.
49 10629, is hereby amended to read as follows:

50 “SEC. 16. *Integrated Protected Areas Fund*. – There is hereby
51 established a trust fund to be known as Integrated Protected Areas (IPAS)
52 Fund for purposes of financing projects of the System. The IPAS may solicit
53 and receive donations, endowments, and grants in the form of
54 contributions, and such endowment shall be exempted from income or gift
55 taxes and all other taxes, charges or fees imposed by the Government or
56 any political subdivision or instrumentality thereof.

1 All incomes generated from the operation of the System or
2 management of wild flora and fauna shall accrue to the Fund and may be
3 utilized directly by the DENR for the above purpose. These incomes shall
4 be derived from:

5 (a) Taxes from the permitted sale and export of flora and fauna and
6 other resources from protected areas;

7 (b) Proceeds from lease of multiple use areas;

8 (c) Contributions from industries and facilities directly benefiting
9 from the protected area; and

10 (d) Such other fees and incomes derived from the operation of the
11 protected area.

12 The Fund, including all donations, grants, endowments from
13 various sources and other contributions shall be deposited in any
14 government bank within the locality where each protected area is
15 located: *Provided*, That if there is no government bank available in the
16 locality, an account shall be opened in a government bank nearest to the
17 locality.

18 Disbursements from the Fund shall be made solely for the
19 protection, maintenance, administration, and management of the System,
20 and duly approved projects endorsed by the PAMBs, in the amounts
21 authorized by the DENR in accordance with existing accounting,
22 budgeting and auditing rules and regulations: *Provided, further*, That the
23 Fund shall not be used to cover personal services expenditures."

24 **SEVENTY-FIVE PERCENT (75%) OF THE FUNDS COLLECTED**
25 **SHALL FORM PART OF THE PROTECTED AREA RETENTION INCOME**
26 **ACCOUNT WHICH SHALL BE SOLELY DISBURSED FOR ITS USE. THE**
27 **PROTECTED AREA RETENTION INCOME ACCOUNT SHALL LIKEWISE**
28 **BE EXEMPTED FROM BEING DEPOSITED IN THE NATIONAL**
29 **TREASURY AND SHALL BE MADE READILY AVAILABLE FOR**
30 **DISBURSEMENT UPON PROPER APPROVAL OF THE PAMB AND THE**
31 **DENR, SUBJECT TO THE USUAL ACCOUNTING AND AUDITING RULES**
32 **AND REGULATIONS.**

33 **THE PROTECTED AREA RETENTION INCOME ACCOUNT MAY**
34 **BE AUGMENTED BY GRANTS, DONATIONS, ENDOWMENT FROM**
35 **VARIOUS SOURCES, DOMESTIC OR FOREIGN, FOR PURPOSES**
36 **RELATED TO THEIR FUNCTIONS. ALL FINES AND PENALTIES**
37 **INCLUDING COMPENSATION FOR DAMAGES IN THE PROTECTED**
38 **AREA SHALL LIKEWISE ACCRUE TO THE IPAF: PROVIDED, THAT**
39 **DISBURSEMENTS THEREFROM SHALL BE MADE SOLELY FOR THE**
40 **PROTECTION, MAINTENANCE, ADMINISTRATION AND**
41 **MANAGEMENT OF THE SYSTEM, AND DULY APPROVED PROJECTS**
42 **ENDORSED BY THE PAMB IN ACCORDANCE WITH EXISTING**
43 **ACCOUNTING AND BUDGETING RULES AND REGULATIONS:**
44 **PROVIDED, FURTHER, THAT THE PROTECTED AREA RETENTION**
45 **INCOME ACCOUNT SHALL NOT BE USED TO COVER EXPENDITURES**
46 **FOR PERSONNEL SERVICES.**

47 **THE LGUS SHALL CONTINUE TO IMPOSE AND COLLECT ALL**
48 **OTHER FEES NOT ENUMERATED HEREIN WHICH THEY HAVE**
49 **TRADITIONALLY COLLECTED, SUCH AS BUSINESS PERMITS AND**
50 **RENTALS OF LGU FACILITIES: PROVIDED, THAT THE LGUS SHALL**
51 **NOT IMPOSE PROPERTY TAX AND ISSUE NEW TAX DECLARATION**
52 **FOR AREAS COVERED BY THE PROTECTED AREA. FURTHERMORE,**
53 **LGUS MAY CHARGE ADD-ONS TO FEES IMPOSED BY THE PAMB:**
54 **PROVIDED, THAT SUCH ADD-ONS SHALL BE BASED ON THE**
55 **CONTRIBUTION OF THE LGUS IN THE MAINTENANCE AND**
56 **PROTECTION OF THE PROTECTED AREA.**

1 THE PASU OR DENR-PROVINCIAL ENVIRONMENT AND
2 NATURAL RESOURCES OFFICE/REGIONAL OFFICE THROUGH THE
3 DENR-BMB SHALL SUBMIT, IN PRINTED FORM AND BY WAY OF
4 ELECTRONIC DOCUMENT, TO THE DEPARTMENT OF BUDGET AND
5 MANAGEMENT (DBM) COPY FURNISHED THE HOUSE COMMITTEE ON
6 APPROPRIATIONS AND THE SENATE COMMITTEE ON FINANCE,
7 QUARTERLY REPORTS ON THE FINANCIAL AND PHYSICAL
8 ACCOMPLISHMENTS ON THE UTILIZATION OF SAID AMOUNT
9 INCLUDING THE LIST OF PROJECTS AND ACTIVITIES AND THEIR
10 CORRESPONDING AMOUNTS.
11

12 **SEC. 12.** Section 19 of Republic Act No. 7586 is hereby amended to read as
13 follows:

14 "SEC. 19. *Special Prosecutor[s] AND RETAINED COUNSEL.* -
15 **WITHIN THIRTY (30) DAYS FROM THE EFFECTIVITY OF THIS ACT,**
16 the Department of Justice (DOJ) shall **APPOINT** [designate] A special
17 prosecutor[s] to prosecute violations of laws, rules and regulations in **THE**
18 protected area[s]. **SUCH SPECIAL PROSECUTOR SHALL COORDINATE**
19 **WITH THE PAMB AND THE PASU IN THE PERFORMANCE OF HIS/HER**
20 **DUTIES AND ASSIST IN THE TRAINING OF WARDENS AND RANGERS**
21 **IN ARREST AND CRIMINAL PROCEDURES. THE PAMB MAY RETAIN**
22 **THE SERVICES OF COUNSEL TO PROSECUTE AND/OR ASSIST IN**
23 **THE PROSECUTION OF CASES UNDER THE DIRECT CONTROL AND**
24 **SUPERVISION OF THE REGULAR OR SPECIAL PROSECUTOR AND TO**
25 **DEFEND THE MEMBERS OF THE PAMB, THE PASU AND THE STAFF,**
26 **OR ANY PERSON ASSISTING IN THE PROTECTION, CONSERVATION**
27 **AND SUSTAINABLE DEVELOPMENT OF THE PROTECTED AREA,**
28 **AGAINST ANY LEGAL ACTION RELATED TO THEIR POWERS,**
29 **FUNCTIONS AND RESPONSIBILITIES AS PROVIDED IN THIS ACT OR**
30 **AS DELEGATED OR TASKED BY THE PAMB."**
31

32 **SEC. 13.** Sections 20 of Republic Act No. 7586 is hereby amended to read as
33 follows:

34 "SEC 20. *Prohibited Acts.* - Except as may be allowed by the nature
35 of their categories and pursuant to rules and regulations governing the
36 same, the following acts are prohibited within protected areas.

37 (a) Hunting, **TAKING, KILLING, COLLECTING,** destroying,
38 disturbing, or [mere possession of] **POSSESSING** any **WILD**
39 **TERRESTRIAL OR AQUATIC** plants or animals [or], **FLORA OR FAUNA,**
40 **SAND, ROCKS, OR BY-products** derived therefrom, **INCLUDING IN**
41 **PRIVATE LANDS WITHIN THE PROTECTED AREA** without [a] **THE**
42 **NECESSARY** permit [from the Management Board], **AUTHORIZATION OR**
43 **EXEMPTION: PROVIDED, THAT THE PASU AS AUTHORIZED BY THE**
44 **PAMB SHALL ISSUE A PERMIT, AUTHORIZATION OR EXEMPTION**
45 **ONLY FOR CULLING, SCIENTIFIC RESEARCH, THE EXCEPTIONS**
46 **UNDER SECTION 27(A) OF REPUBLIC ACT NO. 9147 OR HARVESTS**
47 **OF NON-PROTECTED SPECIES FOR SUBSISTENCE IN MULTIPLE USE**
48 **ZONES BY PROTECTED AREA OCCUPANTS;**

49 (b) Dumping, **THROWING, USING, OR CAUSING TO BE**
50 **DUMPED OR PLACING INTO THE PROTECTED AREA OF** any **TOXIC**
51 **CHEMICAL, NOXIOUS OR POISONOUS SUBSTANCE OR**
52 **NON-BIODEGRADABLE MATERIAL,** waste **OR** products **WHETHER IN**
53 **LIQUID, SOLID OR GAS STATE, INCLUDING PESTICIDES AND OTHER**
54 **HAZARDOUS SUBSTANCES AS DEFINED UNDER REPUBLIC ACT NO.**
55 **6969, OTHERWISE KNOWN AS THE "TOXIC SUBSTANCES AND**
56 **HAZARDOUS AND NUCLEAR WASTES CONTROL ACT OF 1990"**

1 detrimental to the protected area, or to the plants and animals or
2 inhabitants therein;

3 (c) [Use of any motorized equipment without a permit from the
4 Management Board]; **OPERATING ANY MOTORIZED CONVEYANCE**
5 **WITHIN THE PROTECTED AREA NOT OTHERWISE AUTHORIZED BY**
6 **LAW;**

7 (d) Mutilating, defacing, [or] destroying, **EXCAVATING,**
8 **VANDALIZING OR, IN ANY MANNER, DAMAGING ANY NATURAL**
9 **FORMATION ON LAND, RELIGIOUS, SPIRITUAL, HISTORICAL SITES,**
10 **ARTIFACTS AND OTHER** objects of natural beauty, **SCENIC VALUE** or
11 objects of interest to cultural communities [(of scenic value)];

12 (e) Damaging and leaving roads and trails in a damaged condition;

13 (f) [Squatting, mineral locating, or otherwise occupying any land]
14 **OCCUPYING OR DWELLING IN ANY LAND WITHIN THE PROTECTED**
15 **AREA WITHOUT CLEARANCE FROM THE PAMB;**

16 (g) Constructing, **ERECTING,** or maintaining any kind of
17 structure, fence or enclosures, conducting any business enterprise
18 without a permit **ON LAND OR ON WATER FOR ANY PURPOSES**
19 **INCONSISTENT WITH THE MANAGEMENT PLAN DULY APPROVED BY**
20 **THE PAMB: PROVIDED, THAT LARGE-SCALE INFRASTRUCTURE AND**
21 **OTHER PROJECTS SUCH AS, BUT NOT LIMITED TO, MEDIUM TO**
22 **HIGH DENSITY RESIDENTIAL SUBDIVISIONS, MEDIUM TO LARGE**
23 **COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS, GOLF COURSES,**
24 **HEAVILY MECHANIZED COMMERCIAL AND NONTRADITIONAL**
25 **FARMING, AND OTHER ACTIVITIES THAT CAUSE INCREASED**
26 **IMMIGRATION AND RESOURCE DEGRADATION ARE ABSOLUTELY**
27 **PROHIBITED;**

28 (h) Leaving in exposed or unsanitary conditions refuse or debris,
29 or depositing in ground or in bodies of water; and

30 (i) Altering, removing destroying or defacing boundary marks or
31 signs.

32 **(J) UNDERTAKING MINERAL EXPLORATION OR EXTRACTION**
33 **WITHIN THE PROTECTED AREA;**

34 **(K) POACHING WITHIN A PROTECTED AREA;**

35 **(L) CUTTING, GATHERING, REMOVING OR COLLECTING**
36 **TIMBER WITHIN THE PROTECTED AREA INCLUDING PRIVATE**
37 **LANDS WITHOUT THE NECESSARY PERMIT, AUTHORIZATION OR**
38 **EXEMPTION SUCH AS FOR CULLING EXOTIC SPECIES;**

39 **(M) POSSESSING OR TRANSPORTING, WITHIN OR OUTSIDE**
40 **THE PROTECTED AREA ANY TIMBER, FOREST PRODUCTS, WILD**
41 **TERRESTRIAL OR AQUATIC PLANTS, ANIMALS, OR BY-PRODUCTS**
42 **DERIVED THEREFROM WHICH IS ASCERTAINED TO HAVE BEEN**
43 **TAKEN FROM THE PROTECTED AREA OTHER THAN EXOTIC**
44 **SPECIES UNDER AN APPROPRIATE PERMIT FOR ITS CULLING;**

45 **(N) ENGAGING IN COMMERCIAL OR LARGE-SCALE**
46 **QUARRYING WITHIN THE PROTECTED AREA;**

47 **(O) ENGAGING IN KAINGIN OR, IN ANY MANNER, CAUSING**
48 **FOREST FIRES INSIDE THE PROTECTED AREA;**

49 **(P) ESTABLISHING OR INTRODUCING ANY EXOTIC SPECIES,**
50 **INCLUDING GENETICALLY MODIFIED ORGANISMS (GMOS), AND**
51 **INVASIVE ALIEN SPECIES WITHIN THE PROTECTED AREA WHICH**
52 **ARE DETRIMENTAL TO ENDEMIC SPECIES AND THE ECOSYSTEM**
53 **THEREIN;**

54 **(Q) CONDUCTING BIOPROSPECTING WITHIN THE PROTECTED**
55 **AREA WITHOUT PRIOR PAMB APPROVAL IN ACCORDANCE WITH**
56 **EXISTING GUIDELINES, PROVIDED THAT IN ADDITION TO THE**

PENALTY HEREIN, ANY COMMERCIAL USE OF ANY SUBSTANCE TAKEN FROM A PROTECTED AREA WILL NOT BE ALLOWED AND ALL REVENUE EARNED FROM ILLEGAL COMMERCIALIZATION THEREOF WILL BE FORFEITED AND DEPOSITED IN THE IPAF;

(R) PROSPECTING, HUNTING OR OTHERWISE LOCATING HIDDEN TREASURES WITHIN THE PROTECTED AREA;

(S) POSSESSING OR USING BLASTING CAPS OR EXPLOSIVES ANYWHERE WITHIN THE PROTECTED AREA;

(T) TAKING, REMOVING, FISHING, GATHERING, KILLING, DESTROYING OR POSSESSING CORALS FROM MARINE PROTECTED AREAS, EXCEPT FOR SCIENTIFIC OR RESEARCH PURPOSES AUTHORIZED BY THE PAMB;

(U) USING ANY FISHING OR HARVESTING GEAR THAT DESTROY CORAL REEFS, SEAGRASS BEDS OR OTHER MARINE LIFE OR TERRESTRIAL HABITATS AS MAY BE DETERMINED BY THIS ACT, THE PAMB, OTHER LAWS, THE DA, OR THE DENR;

(V) USING OF MURO-AMI, PA-ALING, ALL KINDS OF TRAWLS (GALADGAD, NORWAY), PURSE SEINE (PANGULONG), DANISH SEINE (HULBOT-HULBOT, PAHULBOT-HULBOT, LIKISAN, LIBA-LIBA, PALISOT, PATANGKO, BIRA-BIRA, BULI-BULI, HULAHOO, ZIPPER, LAMPORNAS, ETC.), RING NET (KUBKOB, PANGULONG, KALANSISI), DRIVE-IN NET (KAYAKAS), ROUND HAUL SEINE (SAPYAW, LAWAG), MOTORIZED PUSH NET (SUDSOD), BAGNET (BASING, SAKLIT), OR ANY OF THEIR VARIATIONS, PROVIDED THAT MERE POSSESSION OF SUCH GEARS WITHIN PROTECTED AREAS SHALL BE PRIMA FACIE EVIDENCE OF THEIR USE; OR

(W) PURCHASING OR SELLING, MORTGAGING OR LEASING LANDS OR OTHER PORTIONS OF THE PROTECTED AREA WHICH ARE COVERED BY ANY TENURIAL INSTRUMENT."

SEC. 14. Section 21 of RA 7586 is hereby amended to read as follows:

"SEC. 21. *Penalties.* - [Whoever violates this Act or any rules and regulations issued by the Department pursuant to this Act or whoever is found guilty by a competent court of justice of any of the offenses in the preceding section shall be fined in the amount of not less than Five thousand pesos (P5,000) nor more than Five hundred thousand pesos (P500,000), exclusive of the value of the thing damaged or imprisonment for not less than one (1) year but not more than six (6) years, or both, as determined by the court: *Provided*, That, if the area requires rehabilitation or restoration as determined by the court, the offender shall be required to restore or compensate for the restoration to the damages: *Provided*, *further*, That court shall order the eviction of the offender from the land and the forfeiture in favor of the Government of all minerals, timber or any species collected or removed including all equipment, devices and firearms used in connection therewith, and any construction or improvement made thereon by the offender. If the offender is an association or corporation, the president or manager shall be directly responsible for the act of his employees and laborers: *Provided*, finally, that the DENR may impose administrative fines and penalties consistent with this Act.]

(A) THE PENALTIES AND QUALIFICATIONS PRESCRIBED IN ARTICLES 309 AND 310 OF THE REVISED PENAL CODE, DEPENDING ON THE VALUE OF THE RESOURCES INVOLVED IN CONNECTION WITH THE PROHIBITED ACT OR A FINE OF AT LEAST TRIPLE THE VALUE OF THE SAID RESOURCES, OR BOTH, SHALL BE IMPOSED UPON ANY PERSON WHO VIOLATES NOS. (1) TO (6) OF SECTION 20 HEREIN.

1 (B) A FINE OF NOT LESS THAN TWO HUNDRED THOUSAND
2 PESOS (P200,000.00) BUT NOT MORE THAN ONE MILLION PESOS
3 (P1,000,000.00) OR IMPRISONMENT FROM ONE (1) YEAR BUT NOT
4 MORE THAN SIX (6) YEARS, OR BOTH, SHALL BE IMPOSED UPON
5 ANY PERSON WHO VIOLATES NOS. (8) TO (13) OF SECTION 20
6 HEREIN.

7 (C) A FINE OF NOT LESS THAN 1,000,000 BUT NOT MORE
8 THAN 5,000,000 OR IMPRISONMENT FROM SIX (6) YEARS BUT NOT
9 MORE THAN TWELVE (12) YEARS OR BOTH SHALL BE IMPOSED
10 UPON ANY PERSON WHO VIOLATES NOS. (14) TO (20) OF SECTION
11 20 HEREIN.

12 (D) A FINE OF FIFTY THOUSAND PESOS (P50,000) ON THE
13 OWNER OF EXISTING FACILITIES WITHIN A PROTECTED AREA
14 UNDER SECTION 24 OF THIS ACT, IF THE EXISTENCE OF THE SAME
15 AND ITS FUTURE PLANS AND OPERATIONS WILL BE DETRIMENTAL
16 TO HE PROTECTED AREA. FOR EVERY CONTINUING VIOLATION,
17 UPON REACHING A TOTAL FINE OF FIVE HUNDRED THOUSAND
18 PESOS (P500,000) OR IF THE VIOLATION CONTINUES TO BE
19 COMMITTTED FOR THIRTY (30) DAYS, THE PAMB THROUGH THE
20 PASU AND DEPUTIZING OTHER GOVERNMENT ENTITIES, SHALL
21 CAUSE THE CESSATION OF OPERATION AND EITHER FORFEITURE
22 IN FAVOR OF THE PAMB OR DEMOLITION OF THE FACILITY AT THE
23 COST OF ITS OWNER.

24 (E) ADMINISTRATIVE FINES NOT LESS THAN P50,000 NOT
25 EXCEEDING 5,000,000 SHALL BE IMPOSED FOR THE VIOLATION OF
26 ANY RULES AND REGULATIONS IN THE MANAGEMENT PLAN OR BY
27 THE PAMB OR AGREEMENTS REACHED BEFORE THE PAMB IN THE
28 EXERCISE OF ADJUDICATIVE FUNCTIONS;

29 PROVIDED, THAT, IF THE AREA REQUIRES
30 REHABILITATION OR RESTORATION AS DETERMINED BY THE
31 COURT, THE OFFENDER SHALL BE REQUIRED TO RESTORE OR
32 COMPENSATE FOR THE RESTORATION TO THE DAMAGES THAT
33 SHALL ACCRUE TO THE PROTECTED AREA FUND: PROVIDED,
34 FURTHER, THAT COURT SHALL ORDER THE EVICTION OF THE
35 OFFENDER FROM THE LAND AND THE FORFEITURE IN FAVOR OF
36 THE GOVERNMENT OF ALL MINERALS, TIMBER OR ANY SPECIES
37 COLLECTED OR REMOVED INCLUDING ALL EQUIPMENT, DEVICES
38 AND FIREARMS USED IN CONNECTION THEREWITH, AND ANY
39 CONSTRUCTION OR IMPROVEMENT MADE THEREON BY THE
40 OFFENDER SHALL BE SUBJECT TO IMMEDIATE AND
41 ADMINISTRATIVE CONFISCATION, INDEPENDENT OF THE JUDICIAL
42 PROCEEDINGS BY THE PASU OFFICE UPON APPREHENSION,
43 SUBJECT HOWEVER TO DUE PROCESS AND SUBSTANTIAL
44 EVIDENCE REQUIREMENTS. WHEN LEGAL ACTION IS HOWEVER
45 FILED IN THE REGULAR COURTS, THE SAID CONVEYANCES,
46 VESSELS, EQUIPMENTS, PARAPHERNALIA, IMPLEMENTS, GEARS,
47 TOOLS AND SIMILAR DEVICES, SHALL NOT BE RELEASED UNTIL
48 AFTER JUDGMENT OF ACQUITTAL HAS BEEN RENDERED.
49 PROCEEDS OF THE SALE OF ALL OBJECTS ADMINISTRATIVELY OR
50 JUDICIALLY CONFISCATED PURSUANT HERETO SHALL ACCRUE TO
51 THE PROTECTED AREA FUND. PROCEDURE FOR THE SALE
52 THEREOF SHALL BE PROMULGATED BY THE PAMB. HOWEVER, IN
53 NO CASE SHALL ANY CONFISCATED OR RESCUED PROTECTED
54 ANIMAL SPECIES BE SOLD OR IN ANY MANNER DISPOSED OF BUT
55 SHALL BE IMMEDIATELY TURNED OVER TO THE PASU OFFICE FOR
56 RELEASE IN ITS NATURAL HABITAT, SUBJECT TO EXISTING

1 REGULATIONS. VALUATION OF THE DAMAGE FOR THIS ACT SHALL
2 TAKE INTO ACCOUNT BIODIVERSITY AND CONSERVATION
3 CONSIDERATIONS AS WELL AS AESTHETIC AND SCENIC VALUE.
4 VALUATION ASSESSED BY THE DENR, IN COORDINATION WITH
5 OTHER CONCERNED GOVERNMENT AGENCIES SHALL BE
6 PRESUMED CORRECT UNLESS OTHERWISE PROVEN BY
7 PREPONDERANCE OF EVIDENCE.

8 IF THE OFFENDER IS AN ASSOCIATION OR CORPORATION,
9 THE PRESIDENT OR MANAGER SHALL BE DIRECTLY RESPONSIBLE
10 FOR THE ACT OF HIS EMPLOYEES AND LABORERS: *PROVIDED,*
11 *FINALLY,* THAT THE DENR MAY IMPOSE ADMINISTRATIVE FINES
12 AND PENALTIES CONSISTENT WITH THIS ACT.

13 ANY PERSON WHO SHALL INDUCE ANOTHER OR CONSPIRE TO
14 COMMIT ANY OF THE ILLEGAL ACTS PROHIBITED IN THIS ACT OR
15 SUFFER THEIR WORKERS TO COMMIT ANY OF THE SAME SHALL BE
16 LIABLE IN THE SAME MANNER AS THE ONE ACTUALLY PERFORMING
17 THE ACT.

18 ALL CONVEYANCES, VESSELS, EQUIPMENT, PARAPHERNALIA,
19 IMPLEMENTS, GEARS, TOOLS AND SIMILAR DEVICES

20 THE PENALTIES SPECIFIED IN THIS SECTION SHALL BE IN
21 ADDITION TO THE PENALTIES CONTAINED IN REPUBLIC ACT NO.
22 9072 (NATIONAL CAVES AND CAVE RESOURCES MANAGEMENT AND
23 PROTECTION ACT), REPUBLIC ACT NO. 9147 (WILDLIFE RESOURCES
24 CONSERVATION AND PROTECTION ACT), REPUBLIC ACT 10654
25 (REVISED PHILIPPINE FISHERIES CODE) AND OTHER RELATED
26 LAWS.

27 CONVICTION FOR ANY OFFENSE UNDER THIS ACT OF A
28 PUBLIC OFFICER OR OFFICER OF THE LAW SHALL CARRY THE
29 ACCESSORY PENALTY OF PERPETUAL DISQUALIFICATION FROM
30 PUBLIC OFFICE."

31
32 **SEC. 15.** Insert ten (10) new sections after Section 21 of Republic Act No. 7586
33 to read as follows:

34 **"SEC. 22. EXISTING RIGHTS. — ALL VESTED PROPERTY AND**
35 **PRIVATE RIGHTS WITHIN THE PROTECTED AREA AND ITS BUFFER**
36 **ZONES ALREADY EXISTING AND/OR VESTED UPON THE**
37 **EFFECTIVITY OF THIS ACT SHALL BE PROTECTED AND RESPECTED**
38 **IN ACCORDANCE WITH EXISTING LAWS: PROVIDED, THAT THE**
39 **EXERCISE OF SUCH PROPERTY AND PRIVATE RIGHTS SHALL NOT**
40 **CONTRAvene THE PROVISIONS OF THIS ACT, THE INDIVIDUAL**
41 **PRESIDENTIAL PROCLAMATION OR THE IMPLEMENTING RULES**
42 **AND REGULATIONS OF EACH PROTECTED AREA.**

43
44 **SEC. 23. TENURED MIGRANTS AND OTHER PROTECTED AREA**
45 **OCCUPANTS. — TENURED MIGRANTS SHALL BE ELIGIBLE TO**
46 **BECOME STEWARDS OF PORTIONS OF LANDS WITHIN ALLOWABLE**
47 **ZONES. THE PAMB SHALL IDENTIFY, VERIFY AND REVIEW ALL**
48 **TENURIAL INSTRUMENTS, LAND CLAIMS, AND ISSUANCES OF**
49 **PERMITS FOR RESOURCE USE WITHIN THE PROTECTED AREA AND**
50 **RECOMMEND THE ISSUANCE OF THE APPROPRIATE TENURE**
51 **INSTRUMENT CONSISTENT WITH THE ZONING PROVIDED IN THE**
52 **MANAGEMENT PLAN.**

53
54 **SHOULD AREAS OCCUPIED BY TENURED MIGRANTS BE**
55 **DESIGNATED AS ZONES IN WHICH NO OCCUPATION OR OTHER**
56 **ACTIVITIES ARE ALLOWED PURSUANT TO THE ATTAINMENT OF**

1 SUSTAINABLE DEVELOPMENT, PROVISION FOR THE TRANSFER OF
2 SAID TENURED MIGRANTS TO MULTIPLE USE ZONES OR BUFFER
3 ZONES SHALL BE ACCOMPLISHED THROUGH JUST AND HUMANE
4 MEANS.
5

6 IN THE EVENT OF TERMINATION OF A TENURIAL INSTRUMENT
7 FOR CAUSE OR BY VOLUNTARY SURRENDER OF RIGHTS, THE PASU
8 SHALL TAKE IMMEDIATE STEPS TO REHABILITATE THE AREA IN
9 ORDER TO RETURN IT TO ITS NATURAL STATE PRIOR TO THE
10 CULTIVATION OR OTHER ACT BY THE TENURED MIGRANT.
11

12 PROTECTED AREA OCCUPANTS WHO DID NOT QUALIFY AS
13 TENURED MIGRANTS SHALL BE RESETTLED OUTSIDE THE
14 PROTECTED AREA.

15 WITHIN THREE (3) MONTHS FROM THE PASSAGE OF THIS ACT,
16 THE PASU SHALL SUBMIT TO THE PAMB THE FINAL LIST OF
17 TENURED MIGRANTS, WHICH SHALL BECOME THE OFFICIAL LIST
18 UPON APPROVAL OF THE REGIONAL DIRECTOR.
19

20 WHEN TENURIAL INSTRUMENTS LAPSE, THE PASU SHALL
21 DETERMINE WHETHER THE GOALS OF THE MANAGEMENT PLAN
22 WERE MET IN THE ISSUANCE THEREOF TO DETERMINE IF
23 FURTHER EXTENSIONS WILL BE ALLOWED BY THE PAMB.
24

25 **SEC 24. EXISTING FACILITIES WITHIN THE PROTECTED AREA.**
26 - WITHIN SIXTY (60) DAYS FROM THE EFFECTIVITY OF THIS ACT,
27 EXISTING FACILITIES SUCH AS, BUT NOT LIMITED TO, ROADS,
28 BUILDINGS AND STRUCTURES, WATER SYSTEMS, TRANSMISSION
29 LINES, COMMUNICATION FACILITIES, HEAVY EQUIPMENT, AND
30 IRRIGATION FACILITIES EXISTING WITHIN THE BOUNDARIES OF
31 THE PROTECTED AREA SHALL BE INVENTORIED AND THE
32 INVENTORY SHALL BE SUBMITTED TO THE PAMB THROUGH THE
33 PASU.
34

35 THE PAMB, WITH THE ASSISTANCE OF THE DENR, SHALL
36 DETERMINE WHETHER THE EXISTENCE OF SUCH FACILITY AND ITS
37 FUTURE PLANS AND OPERATIONS WILL BE DETRIMENTAL TO THE
38 PROTECTED AREA OR WHETHER CONDITIONS FOR ITS OPERATION
39 SHALL BE IMPOSED. IF ANY SUCH CONDITIONS ARE VIOLATED, THE
40 OWNER OF THE FACILITY SHALL BE LIABLE TO PAY A FINE OF FIFTY
41 THOUSAND PESOS (P50,000.00) FOR EVERY VIOLATION AND DESIST
42 FROM CONTINUING THE VIOLATION IMMEDIATELY. UPON
43 REACHING A TOTAL FINE OF FIVE HUNDRED THOUSAND PESOS
44 (P500,000.00) OR IF THE VIOLATION CONTINUES TO BE
45 COMMITTED FOR (30) DAYS, THE PAMB THROUGH THE PASU AND
46 DEPUTIZING OTHER GOVERNMENT ENTITIES, SHALL CAUSE THE
47 CESSATION OF OPERATION, AND EITHER THE FORFEITURE IN
48 FAVOR OF THE PAMB OR DEMOLITION OF THE FACILITY AT THE
49 COST OF ITS OWNER. IF THE OWNER OF THE FACILITY
50 DETRIMENTAL TO THE PROTECTED AREA IS THE GOVERNMENT,
51 THE AGENCY IN CHARGE SHALL SUBMIT A PLAN FOR A SUBSTITUTE
52 FACILITY THAT WOULD NOT BE DETRIMENTAL TO THE PROTECTED
53 AREA AND UNDERTAKE THE BUILDING THEREOF WITHIN ONE YEAR
54 FROM THE PAMB DECISION TO CEASE OPERATIONS.
55

1 EXISTING FACILITIES ALLOWED TO REMAIN WITHIN THE
2 PROTECTED AREA MAY BE CHARGED A REASONABLE FEE BY THE
3 PAMB. ALL INCOME FROM SUCH FEE SHALL ACCRUE TO THE
4 PROTECTED AREA RETENTION INCOME ACCOUNT.

5 SEC 25. LOCAL GOVERNMENT UNITS. - THE LOCAL
6 GOVERNMENT UNITS (LGUS) WITHIN THE PROTECTED AREA SHALL
7 PARTICIPATE IN ITS MANAGEMENT THROUGH REPRESENTATION IN
8 THE PAMB AS PROVIDED UNDER SECTION 7 HEREOF. SAID LGUS
9 MAY APPROPRIATE PORTIONS OF THEIR SHARE FROM THE ANNUAL
10 INTERNAL REVENUE ALLOTMENT AND OTHER INCOME FOR USE OF
11 THE PROTECTED AREA: PROVIDED, THAT ALL FUNDS DIRECTLY
12 COMING FROM THE LGUS SHALL BE EXEMPTED FROM THE
13 TWENTY-FIVE PERCENT (25%) REMITTANCE REQUIREMENT FOR
14 THE INTEGRATED PROTECTED AREAS FUND-SPECIAL ACCOUNT IN
15 THE GENERAL FUND (IPAF-SAGF).
16

17 SEC. 26. REPORTING RESPONSIBILITY. - THE PASU, THROUGH
18 THE PAMB, SHALL SUBMIT AN ANNUAL ACCOMPLISHMENT REPORT
19 TO THE SECRETARY OF THE DENR ON THE ACTIVITIES
20 UNDERTAKEN IN THE PROTECTED AREA.
21

22 A REPORT ON THE CONDITIONS AND BENEFITS OF THE
23 BIOLOGICAL RESOURCES OF THE PROTECTED AREA SHALL ALSO
24 BE SUBMITTED BY THE PASU, THROUGH THE PAMB, TO THE
25 SECRETARY OF THE DENR EVERY FIVE (5) YEARS.
26

27 SEC. 27. APPROPRIATIONS. - THE SECRETARY OF THE DENR
28 SHALL IMMEDIATELY INCLUDE IN THE DENR'S PROGRAM THE
29 IMPLEMENTATION OF THIS ACT, THE FUNDING OF WHICH SHALL
30 BE INCLUDED BY THE DBM IN THE ANNUAL GENERAL
31 APPROPRIATIONS ACT.
32

33 SEC. 28. CONSTRUCTION AND SUPPLETORY APPLICATION OF
34 EXISTING LAWS. - THE PROVISIONS OF THIS ACT SHALL BE
35 CONSTRUED LIBERALLY IN FAVOR OF THE PROTECTION AND
36 REHABILITATION OF THE PROTECTED AREA AND THE
37 CONSERVATION AND RESTORATION OF ITS BIOLOGICAL
38 DIVERSITY, TAKING INTO ACCOUNT THE NEEDS AND INTERESTS OF
39 QUALIFIED TENURED MIGRANTS, FOR PRESENT AND FUTURE
40 FILIPINO GENERATIONS.
41

42 THE PAMB SHALL PREPARE ITS OPERATIONS MANUAL WITHIN
43 SIX (6) MONTHS FROM PASSAGE OF THIS ACT.
44

45 THE NIPAS ACT SHALL HAVE SUPPLETORY EFFECT IN THE
46 IMPLEMENTATION OF THIS ACT.
47

48 SEC. 29. SUBSEQUENT SITE-SPECIFIC LEGISLATION. - UPON
49 THE GENERATION OF SITE-SPECIFIC REQUIREMENTS FOR NEW
50 LEGISLATION, THE PAMB SHALL ENDORSE THROUGH A
51 RESOLUTION, A SITE-SPECIFIC BILL FOR CONGRESS TO ENACT IN
52 EACH OF THE PROTECTED AREAS LISTED HEREIN TO
53 APPROPRIATELY RESPOND TO THE DISTINCT AND PARTICULAR
54 NEEDS AND CONSERVATION REQUIREMENTS OF THE PROTECTED
55 AREAS IN EACH LOCALITY.
56

1 **SEC. 30. AUTHORITY TO ISSUE SITE-SPECIFIC IMPLEMENTING**
2 **RULES AND REGULATIONS. - THE PAMB SHALL, AFTER ITS REVIEW**
3 **OF THE DRAFT SUBMITTED BY PASU AND THE CONDUCT OF PUBLIC**
4 **CONSULTATIONS, ISSUE THE SPECIFIC IMPLEMENTING RULES AND**
5 **REGULATIONS FOR EACH PROTECTED AREA TAKING INTO**
6 **CONSIDERATION THE PARTICULAR CIRCUMSTANCES AND**
7 **CONCERNS OF EACH SITE. THE PAMB SHALL ENSURE THAT**
8 **SPECIFIC PROVISIONS OF THE APPLICABLE PRESIDENTIAL**
9 **PROCLAMATION NOT INCONSISTENT WITH THIS ACT ARE ADOPTED**
10 **IN THE IMPLEMENTING RULES AND REGULATIONS.**

11
12 **THE PAMB SHALL TRANSMIT THE ISSUED IMPLEMENTING**
13 **RULES AND REGULATIONS TO THE SECRETARY OF THE DENR,**
14 **THROUGH THE BIODIVERSITY MANAGEMENT BUREAU (BMB).**
15 **WITHIN THIRTY (30) DAYS AFTER THE DATE OF RECEIPT THEREOF,**
16 **THE SECRETARY OF THE DENR SHALL REVIEW THE ISSUED**
17 **IMPLEMENTING RULES AND REGULATIONS FOR CONSISTENCY**
18 **WITH RELEVANT EXISTING LAWS, RULES AND REGULATIONS. IF**
19 **THE SECRETARY OF THE DENR TAKES NO ACTION WITHIN THIRTY**
20 **(30) DAYS AFTER RECEIPT OF SUCH ISSUED IMPLEMENTING RULES**
21 **AND REGULATIONS, THE SAME SHALL BE PRESUMED CONSISTENT**
22 **WITH LAW AND THEREFORE VALID.**

23
24 **SEC. 31. TRANSITORY PROVISION. - IN ORDER TO ENSURE**
25 **THE RECOVERY AND RESTORATION OF BIOLOGICAL DIVERSITY**
26 **AND TO DEVELOP SUSTAINABLE LIVELIHOOD OPPORTUNITIES FOR**
27 **TENURED MIGRANTS, THE DENR SHALL HENCEFORTH CEASE TO**
28 **ISSUE CONCESSIONS, LICENSES, PERMITS, CLEARANCES,**
29 **COMPLIANCE DOCUMENTS OR ANY OTHER INSTRUMENT THAT**
30 **ALLOWS UTILIZATION OF RESOURCES WITHIN THE PROTECTED**
31 **AREA UNTIL THE MANAGEMENT PLAN SHALL HAVE BEEN PUT INTO**
32 **EFFECT.**

33 **ALL EXISTING LAND-USE AND RESOURCE USE PERMITS**
34 **WITHIN THE PROTECTED AREA SHALL BE REVIEWED AND SHALL**
35 **NOT BE RENEWED UPON THEIR EXPIRATION UNLESS CONSISTENT**
36 **WITH THE MANAGEMENT PLAN AND APPROVED BY THE PAMB.**

37
38 **SEC. 16.** Sections 22 and 23 of Republic Act No. 7586 are hereby renumbered
39 as Sections 32 and 33 of the Revised NIPAS Act.

40
41 **SEC. 17.** Section 24 of RA 7586 is hereby amended to read as follows:

42 "SEC. 24. This Act shall take effect fifteen (15) days after its
43 complete publication in the **OFFICIAL GAZETTE** or in a national
44 newspaper of general circulation."
45

46
47 Approved,