

THIRTEENTH CONGRESS OF THE REPUBLIC }  
OF THE PHILIPPINES }  
Third Regular Session }

6 NOV 23 2006

SENATE

RECEIVED BY: JM

**COMMITTEE REPORT NO. 179**

Submitted jointly by the Committees on Environment and Natural Resources and Finance on  
23 NOV 2006

Re : Senate Bill No. 2524

Recommending its approval in substitution of House Bill No. 4852.

Sponsors : Senators Cayetano and Drilon.

MR. PRESIDENT:

The Committees on Environment and Natural Resources and Finance to which was referred House Bill No. 4852, introduced by Representatives Banaag and Amante, entitled:

**“AN ACT  
DECLARING THE MT. HILONG-HILONG RANGE SITUATED IN THE CITY OF BUTUAN AND IN THE MUNICIPALITIES OF REMEDIOS T. ROMUALDEZ, CABADBARAN AND SANTIAGO IN THE PROVINCE OF AGUSAN DEL NORTE AS A PROTECTED AREA AND FOR OTHER PURPOSES”**

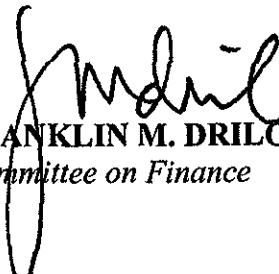
have considered the same and have the honor to report it back to the Senate with the recommendation that the attached bill, Senate Bill No. 2524, prepared by the Committees, entitled:

**AN ACT  
DECLARING THE MT. HILONG-HILONG RANGE SITUATED IN THE CITY OF BUTUAN AND IN THE MUNICIPALITIES OF REMEDIOS T. ROMUALDEZ, CABADBARAN AND SANTIAGO IN THE PROVINCE OF AGUSAN DEL NORTE AS A PROTECTED AREA AND FOR OTHER PURPOSES**

be approved in substitution of House Bill No. 4852 with Senator Cayetano and the members of the Committees as authors.

Respectfully submitted:

Chairmen:

  
FRANKLIN M. DRILON  
Committee on Finance

  
“COMPAÑERA” PIA S. CAYETANO  
Committee on Environment  
and Natural Resources

Members:



RAMON "BONG" REVILLA, JR.



RICHARD J. GORDON



RALPH G. RECTO

RODOLFO G. BIAZON



JOKER P. ARROYO



EDGARDO J. ANGARA



PANFILO M. LACSON

SERGIO OSMEÑA III



MANUEL "LITO" M. LAPID

RAMON B. MAGSAYSAY, JR.



MAR ROXAS



JUAN PONCE ENRILE

MIRIAM DEFENSOR SANTIAGO



LUISA "LOI" P. EJERCITO-ESTRADA



M.A. MADRIGAL



ALFREDO S. LIM

Ex-Officio members:



JUAN M. FLAVIER  
President Pro-tempore



AQUILINO Q. PIMENTEL, JR.  
Minority Leader



FRANCIS N. RANGILINAN  
Majority Leader

HON. MANNY VILLAR  
Senate President  
Pasay City

THIRTEENTH CONGRESS OF THE REPUBLIC }  
 OF THE PHILIPPINES }  
 Third Regular Session }

6 NOV 23 27 1

SENATE

RECEIVED BY:                     

S. No. 2524

(In substitution of H. No. 4852)

Prepared jointly by the Committees on Environment and Natural Resources and Finance, with Senator Cayetano and the members of the Committees as authors thereof.

AN ACT

**DECLARING THE MT. HILONG-HILONG RANGE SITUATED IN THE CITY OF BUTUAN AND IN THE MUNICIPALITIES OF REMEDIOS T. ROMUALDEZ, CABADBARAN AND SANTIAGO IN THE PROVINCE OF AGUSAN DEL NORTE AS A PROTECTED AREA AND FOR OTHER PURPOSES**

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

1       SECTION 1. *Title.* – This Act shall be known as the “Mt. Hilong-Hilong Protected  
 2       Landscape Act of 2006”.

3       SEC. 2. *Land Classification.* – All lands of the public domain comprising the Mt.  
 4       Hilong-Hilong Range Protected Landscape shall fall under the classification of National  
 5       Park as provided for in the Philippine Constitution. *However,* Public Lands already  
 6       classified as agricultural and alienable or disposable prior to the passage of this Act  
 7       shall remain as such and may be disposed of pursuant to the provisions of  
 8       Commonwealth Act No. 141 or the Public Land Act, as amended.

9       SEC. 3. *Declaration of Protected Area (PA); Scope and Boundaries.* – The Mt.  
 10       Hilong-Hilong Range Protected Landscape is hereby declared a protected area as  
 11       categorized pursuant to Republic Act No. 7586, otherwise known as the National  
 12       Integrated Protected Areas Act of 1992 or the NIPAS Act.

13       The boundaries of Mt. Hilong-Hilong Range Protected Landscape are more  
 14       particularly described as follows:

15       “Beginning at Tie Point AGN 35 of PRS 92 located at Sitio Agay, Barangay  
 16       Balang-Balang, Municipality of Remedios T. Romualdez, Agusan del Norte, with the  
 17       coordinates of South 53°38’ East with a distance of 7,567.97 meters to a point  
 18       designated as corner 1 located at the top of the ridge,

- 19       thence from corner 1,   N 39°23’ W 309.63 meters to corner 2,
- 20       thence from corner 2,           N 56°39’ E 202.54 meters to corner 3,
- 21       thence from corner 3,           N 29°22’ E 133.12 meters to corner 4,
- 22       thence from corner 4,           N 04°51’ E 612.17 meters to corner 5,

1       thence from corner 5,           N 43°09' E 257.51 meters to corner 6,  
2       thence from corner 6,           N 02°56' W 270.12 meters to corner 7,  
3       thence from corner 7,           N 52°58' E 282.61 meters to corner 8,  
4       thence from corner 8,           N 77°34' E 250.39 meters to corner 9,  
5       thence from corner 9,           S 82°25' E 223.65 meters to corner 10,  
6       thence from corner 10,          S 87°04' E 334.71 meters to corner 11,  
7       thence from corner 11,          N 72°48' E 342.11 meters to corner 12,  
8       thence from corner 12,          N 23°43' E 258.07 meters to corner 13,  
9       thence from corner 13,          N 59°46' E 281.37 meters to corner 14,  
10      thence from corner 14,          N 75°32' E 338.56 meters to corner 15,  
11      thence from corner 15,          N 84°00' E 237.77 meters to corner 16,  
12      thence from corner 16,          S 85°35' E 496.31 meters to corner 17,  
13      thence from corner 17,          S 74°09' E 292.27 meters to corner 18,  
14      thence from corner 18,          N 89°20' E 153.26 meters to corner 19,  
15      thence from corner 19,          N 36°56' E 285.02 meters to corner 20,  
16      thence from corner 20,          N 43°13' E 447.79 meters to corner 21,  
17      thence from corner 21,          N 10°01' E 395.13 meters to corner 22,  
18      thence from corner 22,          N 41°12' E 365.72 meters to corner 23,  
19      thence from corner 23,          N 72°07' E 350.13 meters to corner 24,  
20      thence from corner 24,          N 40°38' E 423.84 meters to corner 25,  
21      thence from corner 25,          N 42°32' E 185.69 meters to corner 26,  
22      thence from corner 26,          N 05°08' E 382.30 meters to corner 27,  
23      thence from corner 27,          N 04°01' W 418.07 meters to corner 28,  
24      thence from corner 28,          N 04°24' W 313.87 meters to corner 29,  
25      thence from corner 29,          N 53°39' E 212.76 meters to corner 30,  
26      thence from corner 30,          N 18°47' E 312.59 meters to corner 31,  
27      thence from corner 31,          N 24°07' W 252.12 meters to corner 32,  
28      thence from corner 32,          N 10°21' W 139.78 meters to corner 33,  
29      thence from corner 33,          N 27°43' E 101.27 meters to corner 34,  
30      thence from corner 34,          N 53°31' E 365.36 meters to corner 35,  
31      thence from corner 35,          N 67°19' E 268.43 meters to corner 36,  
32      thence from corner 36,          N 42°34' E 359.64 meters to corner 37,  
33      thence from corner 37,          N 83°39' E 442.42 meters to corner 38,  
34      thence from corner 38,          N 85°16' E 346.19 meters to corner 39,  
35      thence from corner 39,          N 09°55' E 359.02 meters to corner 40,  
36      thence from corner 40,          N 19°03' E 982.24 meters to corner 41,  
37      thence from corner 41,          N 19°40' W 322.60 meters to corner 42,  
38      thence from corner 42,          N 08°46' E 535.08 meters to corner 43,

1       thence from corner 43,       N 18°27' E 176.06 meters to corner 44,  
2       thence from corner 44,       N 05°41' W 297.86 meters to corner 45,  
3       thence from corner 45,       N 16°36' E 169.01 meters to corner 46,  
4       thence from corner 46,       S 62°18' W 508.57 meters to corner 47,  
5       thence from corner 47,       S 38°41' W 201.96 meters to corner 48,  
6       thence from corner 48,       S 75°45' W 179.11 meters to corner 49,  
7       thence from corner 49,       S 71°03' W 242.82 meters to corner 50,  
8       thence from corner 50,       N 59°28' W 415.00 meters to corner 51,  
9       thence from corner 51,       S 84°18' W 140.97 meters to corner 52,  
10      thence from corner 52,       S 65°12' W 233.34 meters to corner 53,  
11      thence from corner 53,       S 55°24' W 206.09 meters to corner 54,  
12      thence from corner 54,       S 74°40' W 52.93 meters to corner 55,  
13      thence from corner 55,       N 49°52' W 108.44 meters to corner 56,  
14      thence from corner 56,       N 75°17' W 399.75 meters to corner 57,  
15      thence from corner 57,       S 88°11' W 444.22 meters to corner 58,  
16      thence from corner 58,       N 84°50' W 308.82 meters to corner 59,  
17      thence from corner 59,       N 65°11' W 369.60 meters to corner 60,  
18      thence from corner 60,       N 77°04' W 363.94 meters to corner 61,  
19      thence from corner 61,       N 46°19' W 375.50 meters to corner 62,  
20      thence from corner 62,       S 88°26' W 321.73 meters to corner 63,  
21      thence from corner 63,       N 72°00' W 189.11 meters to corner 64,  
22      thence from corner 64,       N 89°31' W 432.59 meters to corner 65,  
23      thence from corner 65,       S 75°12' W 662.39 meters to corner 66,  
24      thence from corner 66,       N 85°46' W 241.81 meters to corner 67,  
25      thence from corner 67,       N 56°02' W 495.59 meters to corner 68,  
26      thence from corner 68,       N 80°02' W 469.03 meters to corner 69,  
27      thence from corner 69,       N 71°26' W 438.80 meters to corner 70,  
28      thence from corner 70,       N 81°38' W 454.45 meters to corner 71,  
29      thence from corner 71,       N 13°49' E 282.26 meters to corner 72,  
30      thence from corner 72,       N 05°43' W 411.35 meters to corner 73,  
31      thence from corner 73,       N 35°40' W 233.25 meters to corner 74,  
32      thence from corner 74,       N 30°57' E 195.47 meters to corner 75,  
33      thence from corner 75,       N 45°41' W 245.13 meters to corner 76,  
34      thence from corner 76,       N 69°32' W 382.99 meters to corner 77,  
35      thence from corner 77,       N 61°11' W 147.99 meters to corner 78,  
36      thence from corner 78,       N 39°13' W 353.49 meters to corner 79,  
37      thence from corner 79,       N 70°55' W 185.75 meters to corner 80,  
38      thence from corner 80,       N 60°16' W 292.68 meters to corner 81,

1        *thence from corner 81,*        N 01°58' W 259.61 meters to corner 82,  
2        *thence from corner 82,*        N 38°56' E 240.60 meters to corner 83,  
3        *thence from corner 83,*        N 12°14' E 190.43 meters to corner 84,  
4        *thence from corner 84,*        N 52°00' W 359.24 meters to corner 85,  
5        *thence from corner 85,*        S 88°01' E 116.25 meters to corner 86,  
6        *thence from corner 86,*        S 58°03' E 189.34 meters to corner 87,  
7        *thence from corner 87,*        S 73°35' E 196.15 meters to corner 88,  
8        *thence from corner 88,*        N 88°06' E 269.32 meters to corner 89,  
9        *thence from corner 89,*        N 81°47' E 162.32 meters to corner 90,  
10       *thence from corner 90,*        N 57°21' E 698.90 meters to corner 91,  
11       *thence from corner 91,*        N 56°36' E 402.94 meters to corner 92,  
12       *thence from corner 92,*        N 45°30' E 410.87 meters to corner 93,  
13       *thence from corner 93,*        N 41°58' E 303.75 meters to corner 94,  
14       *thence from corner 94,*        N 33°23' E 329.24 meters to corner 95,  
15       *thence from corner 95,*        N 27°19' E 238.42 meters to corner 96,  
16       *thence from corner 96,*        N 39°23' E 309.63 meters to corner 97,  
17       *thence from corner 97,*        N 12°45' E 232.67 meters to corner 98,  
18       *thence from corner 98,*        N 52°21' E 139.23 meters to corner 99,  
19       *thence from corner 99,*        N 70°14' E 251.32 meters to corner 100,  
20       *thence from corner 100,*       N 43°44' E 356.61 meters to corner 101,  
21       *thence from corner 101,*       N 77°34' E 532.09 meters to corner 102,  
22       *thence from corner 102,*       N 63°17' E 213.35 meters to corner 103,  
23       *thence from corner 103,*       N 18°01' E 387.92 meters to corner 104,  
24       *thence from corner 104,*       S 86°56' W 320.62 meters to corner 105,  
25       *thence from corner 105,*       S 67°43' W 295.34 meters to corner 106,  
26       *thence from corner 106,*       N 64°36' W 183.16 meters to corner 107,  
27       *thence from corner 107,*       N 75°32' W 171.85 meters to corner 108,  
28       *thence from corner 108,*       N 14°15' W 340.46 meters to corner 109,  
29       *thence from corner 109,*       S 69°16' W 129.13 meters to corner 110,  
30       *thence from corner 110,*       S 41°19' W 242.66 meters to corner 111,  
31       *thence from corner 111,*       S 39°23' W 309.63 meters to corner 112,  
32       *thence from corner 112,*       S 53°27' W 354.90 meters to corner 113,  
33       *thence from corner 113,*       S 14°43' W 222.88 meters to corner 114,  
34       *thence from corner 114,*       S 15°29' W 304.38 meters to corner 115,  
35       *thence from corner 115,*       S 10°47' W 324.36 meters to corner 116,  
36       *thence from corner 116,*       S 19°43' W 360.72 meters to corner 117,  
37       *thence from corner 117,*       S 57°52' W 211.15 meters to corner 118,  
38       *thence from corner 118,*       N 62°56' W 342.93 meters to corner 119,

1       thence from corner 119,       N 46°50' W 176.75 meters to corner 120,  
 2       thence from corner 120,       N 26°41' W 194.13 meters to corner 121,  
 3       thence from corner 121,       N 69°18' W 287.71 meters to corner 122,  
 4       thence from corner 122,       N 14°29' W 186.09 meters to corner 123,  
 5       thence from corner 123,       N 50°12' W 318.31 meters to corner 124,  
 6       thence from corner 124,       S 84°39' W 455.92 meters to corner 125,  
 7       thence from corner 125,       S 50°12' W 319.73 meters to corner 126,  
 8       thence from corner 126,       N 88°39' W 154.49 meters to corner 127,  
 9       thence from corner 127,       S 53°08' W 163.15 meters to corner 128,  
 10       thence from corner 128,       26°38' W 170.25 meters to corner 129,  
 11       thence from corner 129,       89°48' W 197.88 meters to corner 130,  
 12       thence from corner 130,       70°56' W 223.53 meters to corner 131,  
 13       thence from corner 131,       41°46' W 331.44 meters to corner 132,  
 14       thence from corner 132,       42°06' W 159.76 meters to corner 133,  
 15       thence from corner 133,       44°40' W 155.89 meters to corner 134,  
 16       thence from corner 134,       47°37' W 209.27 meters to corner 135,  
 17       thence from corner 135,       N 34°10' W 207.65 meters to corner 136,  
 18       thence from corner 136,       88°36' E 332.20 meters to corner 137,  
 19       thence from corner 137,       49°04' E 488.32 meters to corner 138,  
 20       thence from corner 138,       18°19' E 325.79 meters to corner 139,  
 21       thence from corner 139,       N 60°11' E 98.09 meters to corner 140,  
 22       thence from corner 140,       S 88°21' E 353.61 meters to corner 141,  
 23       thence from corner 141,       80°20' E 406.84 meters to corner 142,  
 24       thence from corner 142,       40°47' E 314.74 meters to corner 143,  
 25       thence from corner 143,       N 17°42' E 307.20 meters to corner 144,  
 26       thence from corner 144,       N 28°26' E 494.33 meters to corner 145,  
 27       thence from corner 145,       N 33°34' E 474.59 meters to corner 146,  
 28       thence from corner 146,       N 59°44' E 277.96 meters to corner 147,  
 29       thence from corner 147,       N 08°25' E 307.10 meters to corner 148,  
 30       thence from corner 148,       N 48°07' E 289.30 meters to corner 149,  
 31       thence from corner 149,       N 27°35' E 371.43 meters to corner 150,  
 32       thence from corner 150,       N 09°52' E 278.85 meters to corner 151,  
 33       thence from corner 151,       N 17°55' E 549.37 meters to corner 152,  
 34       thence from corner 152,       N 46°41' E 370.83 meters to corner 153,  
 35       thence from corner 153,       N 02°55' W 468.26 meters to corner 154,  
 36       thence from corner 154,       N 11°39' E 294.49 meters to corner 155,  
 37       thence from corner 155,       N 04°47' W 139.47 meters to corner 156,  
 38       thence from corner 156,       N 46°47' W 691.31 meters to corner 157,

1       thence from corner 157,       N 66°07' W 293.69 meters to corner 158,  
 2       thence from corner 158,       N 14°50' W 368.15 meters to corner 159,  
 3       thence from corner 159,       N 22°20' W 339.99 meters to corner 160,  
 4       thence from corner 160,       N 23°08' E 619.58 meters to corner 161,  
 5       thence from corner 161,       N 31°07' E 447.70 meters to corner 162,  
 6       thence from corner 162,       N 19°15' E 291.48 meters to corner 163,  
 7       thence from corner 163,       N 32°26' E 252.95 meters to corner 164,  
 8       thence from corner 164,       N 18°17' E 529.18 meters to corner 165,  
 9       thence from corner 165,       N 44°16' E 150.09 meters to corner 166,  
 10       thence from corner 166,       N 22°29' E 276.93 meters to corner 167,  
 11       thence from corner 167,       N 14°26' W 539.89 meters to corner 168,  
 12       thence from corner 168,       N 18°12' E 137.00 meters to corner 169,  
 13       thence from corner 169,       N 66°43' E 197.73 meters to corner 170,  
 14       thence from corner 170,       N 42°54' E 433.23 meters to corner 171,  
 15       thence from corner 171,       N 17°18' E 185.23 meters to corner 172,  
 16       thence from corner 172       , N 26°12' W 219.75 meters to corner 173,  
 17       thence from corner 173,       N 02°10' E 246.39 meters to corner 174,  
 18       thence from corner 174,       N 30°51' E 433.39 meters to corner 175,  
 19       thence from corner 175,       N 18°02' E 203.13 meters to corner 176,  
 20       thence from corner 176,       N 49°56' E 195.19 meters to corner 177,  
 21       thence from corner 177,       N 64°04' E 925.49 meters to corner 178,  
 22       thence from corner 178,       N 44°11' E 172.40 meters to corner 179,  
 23       thence from corner 179,       N 26°06' E 639.44 meters to corner 180,  
 24       thence from corner 180,       N 22°07' E 612.45 meters to corner 181,  
 25       thence from corner 181,       N 16°10' E 440.81 meters to corner 182,  
 26       thence from corner 182,       N 07°24' W 261.69 meters to corner 183,  
 27       thence from corner 183,       N 26°32' W 241.92 meters to corner 184,  
 28       thence from corner 184,       N 04°08' W 243.44 meters to corner 185,  
 29       thence from corner 185,       N 29°42' E 676.13 meters to corner 186,  
 30       thence from corner 186,       N 53°35' E 108.69 meters to corner 187,  
 31       thence from corner 187,       N 80°10' E 345.04 meters to corner 188,  
 32       thence from corner 188,       N 59°24' E 372.34 meters to corner 189,  
 33       thence from corner 189,       N 48°18' E 198.50 meters to corner 190,  
 34       thence from corner 190,       N 67°19' E 436.59 meters to corner 191,  
 35       thence from corner 191,       N 61°52' E 140.95 meters to corner 192,  
 36       thence from corner 192,       N 25°33' E 198.23 meters to corner 193,  
 37       thence from corner 193,       N 52°20' E 445.23 meters to corner 194,  
 38       thence from corner 194,       N 30°22' E 594.63 meters to corner 195,



1       thence from corner 195,       N 08°51' E 388.26 meters to corner 196,  
 2       thence from corner 196,       N 42°00' E 233.95 meters to corner 197,  
 3       thence from corner 197,       S 72°38' E 238.23 meters to corner 198,  
 4       thence from corner 198,       S 59°49' E 541.07 meters to corner 199,  
 5       thence from corner 199,       S 53°40' E 337.79 meters to corner 200,  
 6       thence from corner 200,       S 64°29' E 516.40 meters to corner 201,  
 7       thence from corner 201,       S 47°45' E 831.23 meters to corner 202,  
 8       thence from corner 202,       S 06°24' E 645.21 meters to corner 203,  
 9       thence from corner 203,       S 21°05' E 145.25 meters to corner 204,  
 10       thence from corner 204,       S 41°12' E 417.95 meters to corner 205,  
 11       thence from corner 205,       S 01°19' E 201.86 meters to corner 206,  
 12       thence from corner 206,       S 10°55' E 719.33 meters to corner 207,  
 13       thence from corner 207,       S 11°34' E 521.48 meters to corner 208,  
 14       thence from corner 208,       S 16°37' E 378.22 meters to corner 209,  
 15       thence from corner 209,       S 88°52' E 430.44 meters to corner 210,  
 16       thence from corner 210,       S 73°11' E 451.34 meters to corner 211,  
 17       thence from corner 211,       S 57°01' E 483.65 meters to corner 212,  
 18       thence from corner 212,       S 29°15' W 224.88 meters to corner 213,  
 19       thence from corner 213,       S 07°48' E 592.26 meters to corner 214,  
 20       thence from corner 214,       S 10°30' E 715.18 meters to corner 215,  
 21       thence from corner 215,       S 07°55' E 444.51 meters to corner 216,  
 22       thence from corner 216,       S 29°39' W 562.17 meters to corner 217,  
 23       thence from corner 217,       S 07°59' E 146.49 meters to corner 218,  
 24       thence from corner 218,       S 29°13' E 424.51 meters to corner 219,  
 25       thence from corner 219,       S 36°42' E 800.26 meters to corner 220,  
 26       thence from corner 220,       S 78°48' E 264.43 meters to corner 221,  
 27       thence from corner 221,       S 43°04' E 420.29 meters to corner 222,  
 28       thence from corner 222,       N 89°50' E 447.04 meters to corner 223,  
 29       thence from corner 223,       S 68°24' E 115.33 meters to corner 224,  
 30       thence from corner 224,       S 46°16' E 413.34 meters to corner 225,  
 31       thence from corner 225,       S 72°34' E 331.06 meters to corner 226,  
 32       thence from corner 226,       S 70°08' E 548.91 meters to corner 227,  
 33       thence from corner 227,       S 18°27' E 260.01 meters to corner 228,  
 34       thence from corner 228,       S 27°10' E 329.00 meters to corner 229,  
 35       thence from corner 229,       S 13°40' E 380.00 meters to corner 230,  
 36       thence from corner 230,       S 34°50' E 340.55 meters to corner 231,  
 37       thence from corner 231,       S 62°38' E 309.22 meters to corner 232,  
 38       thence from corner 232,       S 29°16' E 338.22 meters to corner 233,

1       thence from corner 233,       S 27°22' W 334.01 meters to corner 234,  
 2       thence from corner 234,       S 33°03' W 413.56 meters to corner 235,  
 3       thence from corner 235,       S 25°35' W 424.54 meters to corner 236,  
 4       thence from corner 236,       S 10°26' E 458.00 meters to corner 237,  
 5       thence from corner 237,       S 54°57' W 391.99 meters to corner 238,  
 6       thence from corner 238,       S 89°34' W 779.91 meters to corner 239,  
 7       thence from corner 239,       S 55°04' W 181.36 meters to corner 240,  
 8       thence from corner 240,       S 14°23' W 169.44 meters to corner 241,  
 9       thence from corner 241,       S 51°37' W 239.36 meters to corner 242,  
 10       thence from corner 242,       S 26°42' W 279.71 meters to corner 243,  
 11       thence from corner 243,       S 15°09' W 631.40 meters to corner 244,  
 12       thence from corner 244,       S 42°27' W 206.21 meters to corner 245,  
 13       thence from corner 245,       S 08°10' W 358.32 meters to corner 246,  
 14       thence from corner 246,       S 15°47' W 424.43 meters to corner 247,  
 15       thence from corner 247,       S 11°36' W 397.33 meters to corner 248,  
 16       thence from corner 248,       S 00°14' E 364.47 meters to corner 249,  
 17       thence from corner 249,       S 34°37' E 179.54 meters to corner 250,  
 18       thence from corner 250,       S 09°28' E 235.37 meters to corner 251,  
 19       thence from corner 251,       S 55°25' E 707.53 meters to corner 252,  
 20       thence from corner 252,       S 04°02' E 101.80 meters to corner 253,  
 21       thence from corner 253,       S 25°48' E 378.15 meters to corner 254,  
 22       thence from corner 254,       S 11°17' W 461.59 meters to corner 255,  
 23       thence from corner 255,       S 00°26' W 740.35 meters to corner 256,  
 24       thence from corner 256,       S 02°41' W 563.43 meters to corner 257,  
 25       thence from corner 257,       S 07°47' W 284.82 meters to corner 258,  
 26       thence from corner 258,       S 24°51' W 349.58 meters to corner 259,  
 27       thence from corner 259,       S 48°20' W 271.50 meters to corner 260,  
 28       thence from corner 260,       S 19°21' W 384.62 meters to corner 261,  
 29       thence from corner 261,       S 65°55' W 455.41 meters to corner 262,  
 30       thence from corner 262,       S 81°31' W 578.61 meters to corner 263,  
 31       thence from corner 263,       S 40°07' W 529.87 meters to corner 264,  
 32       thence from corner 264,       S 74°08' W 478.55 meters to corner 265,  
 33       thence from corner 265,       S 07°21' W 811.34 meters to corner 266,  
 34       thence from corner 266,       S 21°25' W 179.71 meters to corner 267,  
 35       thence from corner 267,       S 42°42' W 577.51 meters to corner 268,  
 36       thence from corner 268,       S 08°51' W 270.72 meters to corner 269,  
 37       thence from corner 269,       S 00°06' W 240.19 meters to corner 270,  
 38       thence from corner 270,       S 24°59' W 403.25 meters to corner 271,

1       thence from corner 271,       S 05°12' W 130.01 meters to corner 272,  
2       thence from corner 272,       S 36°41' W 423.74 meters to corner 273,  
3       thence from corner 273,       S 04°28' W 566.54 meters to corner 274,  
4       thence from corner 274,       S 22°27' W 179.11 meters to corner 275,  
5       thence from corner 275,       S 06°02' W 496.34 meters to corner 276,  
6       thence from corner 276,       S 37°38' W 163.64 meters to corner 277,  
7       thence from corner 277,       S 05°26' W 107.33 meters to corner 278,  
8       thence from corner 278,       S 04°57' W 349.85 meters to corner 279,  
9       thence from corner 279,       S 28°37' W 133.68 meters to corner 280,  
10      thence from corner 280,       S 16°03' W 597.16 meters to corner 281,  
11      thence from corner 281,       S 57°31' W 145.38 meters to corner 282,  
12      thence from corner 282,       S 19°24' W 200.36 meters to corner 283,  
13      thence from corner 283,       S 07°34' W 406.83 meters to corner 284,  
14      thence from corner 284,       S 06°29' W 172.96 meters to corner 285,  
15      thence from corner 285,       S 21°56' W 291.81 meters to corner 286,  
16      thence from corner 286,       S 55°15' W 445.15 meters to corner 287,  
17      thence from corner 287,       S 16°21' W 449.90 meters to corner 288,  
18      thence from corner 288,       S 61°21' W 377.99 meters to corner 289,  
19      thence from corner 289,       S 26°51' W 301.36 meters to corner 290,  
20      thence from corner 290,       S 64°41' W 468.77 meters to corner 291,  
21      thence from corner 291,       S 25°29' W 325.97 meters to corner 292,  
22      thence from corner 292,       S 63°56' W 174.41 meters to corner 293,  
23      thence from corner 293,       S 82°18' W 354.84 meters to corner 294,  
24      thence from corner 294,       S 64°29' W 313.10 meters to corner 295,  
25      thence from corner 295,       S 22°06' W 406.53 meters to corner 296,  
26      thence from corner 296,       S 11°30' W 614.22 meters to corner 297,  
27      thence from corner 297,       S 40°32' W 547.81 meters to corner 298,  
28      thence from corner 298,       S 09°17' W 212.83 meters to corner 299,  
29      thence from corner 299,       S 53°47' W 202.82 meters to corner 300,  
30      thence from corner 300,       S 85°12' W 342.42 meters to corner 301,  
31      thence from corner 301,       S 66°51' W 457.85 meters to corner 302,  
32      thence from corner 302,       S 52°00' W 267.61 meters to corner 303,  
33      thence from corner 303,       S 82°01' W 125.31 meters to corner 304,  
34      thence from corner 304,       S 85°08' W 369.85 meters to corner 305,  
35      thence from corner 305,       S 61°30' W 514.79 meters to corner 306,  
36      thence from corner 306,       S 79°58' W 271.64 meters to corner 307,  
37      thence from corner 307,       S 54°55' W 188.92 meters to corner 308,  
38      thence from corner 308,       S 10°51' W 182.82 meters to corner 309,

1       thence from corner 309,       S 39°11' W 568.41 meters to corner 310,  
 2       thence from corner 310,       S 53°29' W 246.64 meters to corner 311,  
 3       thence from corner 311,       S 32°58' W 484.08 meters to corner 312,  
 4       thence from corner 312,       S 02°44' W 62.47 meters to corner 313,  
 5       thence from corner 313,       S 45°01' W 1017.83 meters to corner 314,  
 6       thence from corner 314,       S 08°15' W 307.78 meters to corner 315,  
 7       thence from corner 315,       S 27°55' W 263.42 meters to corner 316,  
 8       thence from corner 316,       S 03°36' W 182.35 meters to corner 317,  
 9       thence from corner 317,       S 43°57' W 160.41 meters to corner 318,  
 10       thence from corner 318,       S 05°24' W 307.63 meters to corner 319,  
 11       thence from corner 319,       S 22°55' W 291.20 meters to corner 320,  
 12       thence from corner 320,       S 16°03' W 486.45 meters to corner 321,  
 13       thence from corner 321,       S 28°51' W 564.97 meters to corner 322,  
 14       thence from corner 322,       S 16°34' W 552.02 meters to corner 323,  
 15       thence from corner 323,       S 22°22' W 547.77 meters to corner 324,  
 16       thence from corner 324,       S 76°50' W 176.00 meters to corner 325,  
 17       thence from corner 325,       S 70°08' W 449.70 meters to corner 326,  
 18       thence from corner 326,       S 79°14' W 485.60 meters to corner 327,  
 19       thence from corner 327,       S 58°02' W 317.04 meters to corner 328,  
 20       thence from corner 328,       S 85°37' W 646.85 meters to corner 329,  
 21       thence from corner 329,       N 29°43' W 273.48 meters to corner 330,  
 22       thence from corner 330,       N 07°29' W 838.64 meters to corner 331,  
 23       thence from corner 331,       N 09°30' W 574.42 meters to corner 332,  
 24       thence from corner 332,       N 39°11' W 373.14 meters to corner 333,  
 25       thence from corner 333,       N 12°29' W 392.40 meters to corner 334,  
 26       thence from corner 334,       N 26°51' W 264.99 meters to corner 335,  
 27       thence from corner 335,       N 28°14' W 423.96 meters to corner 336,  
 28       thence from corner 336,       N 71°42' W 311.37 meters to corner 337,  
 29       thence from corner 337,       N 78°44' W 425.65 meters to corner 338,  
 30       thence from corner 338,       S 72°50' W 204.91 meters to corner 339,  
 31       thence from corner 339,       N 41°58' W 311.57 meters to corner 340,  
 32       thence from corner 340,       N 56°35' W 469.73 meters to corner 341,  
 33       thence from corner 341,       N 44°15' W 272.10 meters to corner 342,  
 34       thence from corner 342,       S 56°22' W 444.90 meters to corner 343,  
 35       thence from corner 343,       N 54°22' W 258.86 meters to corner 344,  
 36       thence from corner 344,       S 58°13' W 488.38 meters to corner 345,  
 37       thence from corner 345,       N 77°11' W 466.33 meters to corner 346,  
 38       thence from corner 346,       N 68°39' W 259.79 meters to corner 347,

1       thence from corner 347,       N 32°15' W 292.70 meters to corner 348,  
 2       thence from corner 348,       N 39°44' W 315.87 meters to corner 349,  
 3       thence from corner 349,       N 19°18' W 341.43 meters to corner 350,  
 4       thence from corner 350,       N 11°41' W 164.88 meters to corner 351,  
 5       thence from corner 351,       N 89°21' W 452.86 meters to corner 352,  
 6       thence from corner 352,       N 08°18' E 165.48 meters to corner 353,  
 7       thence from corner 353,       N 07°03' E 287.08 meters to corner 354,  
 8       thence from corner 354,       N 44°22' W 177.71 meters to corner 355,  
 9       thence from corner 355,       S 77°03' W 448.16 meters to corner 356,  
 10       thence from corner 356,       N 19°04' W 649.79 meters to corner 357,  
 11       thence from corner 357,       S 88°49' E 239.85 meters to corner 358,  
 12       thence from corner 358,       N 54°17' E 237.28 meters to corner 359,  
 13       thence from corner 359,       N 33°31' E 263.21 meters to corner 360,  
 14       thence from corner 360,       N 34°51' W 291.57 meters to corner 361,  
 15       thence from corner 361,       N 34°52' E 350.13 meters to corner 362,  
 16       thence from corner 362,       N 34°51' E 443.10 meters to corner 363,  
 17       thence from corner 363,       N 02°03' W 348.64 meters to corner 364,  
 18       thence from corner 364,       N 84°57' E 372.67 meters to corner 365,  
 19       thence from corner 365,       S 70°34' E 372.33 meters to corner 366,  
 20       thence from corner 366,       S 59°40' E 200.87 meters to corner 367,  
 21       thence from corner 367,       N 21°16' E 264.51 meters to corner 368,  
 22       thence from corner 368,       S 70°01' E 246.75 meters to corner 369,  
 23       thence from corner 369,       N 26°19' E 299.39 meters to corner 370,  
 24       thence from corner 370,       N 58°42' E 338.57 meters to corner 371,  
 25       thence from corner 371,       N 29°33' W 168.63 meters to corner 372,  
 26       thence from corner 372,       N 83°11' W 218.83 meters to corner 373,  
 27       thence from corner 373,       N 59°02' W 148.35 meters to corner 374,  
 28       thence from corner 374,       S 34°54' W 327.96 meters to corner 375,  
 29       thence from corner 375,       S 73°27' W 332.06 meters to corner 376,  
 30       thence from corner 376,       S 68°32' W 153.15 meters to corner 377,  
 31       thence from corner 377,       N 75°37' W 409.69 meters to corner 378,  
 32       thence from corner 378,       S 55°01' W 382.28 meters to corner 379,  
 33       thence from corner 379,       N 17°49' W 292.96 meters to corner 380,  
 34       thence from corner 380,       N 15°00' W 210.19 meters to corner 381,  
 35       thence from corner 381,       N 16°52' E 327.39 meters to corner 382,  
 36       thence from corner 382,       N 13°09' W 187.78 meters to corner 383,  
 37       thence from corner 383,       N 63°49' W 240.20 meters to corner 384,  
 38       thence from corner 384,       S 69°59' W 213.84 meters to corner 385,

1       thence from corner 385,       S 19°01' W 301.31 meters to corner 386,  
2       thence from corner 386,       S 12°38' E 360.31 meters to corner 387,  
3       thence from corner 387,       S 39°55' W 713.92 meters to corner 1.

4       The foregoing boundaries cover an approximate area of twenty-five thousand eight  
5       hundred thirty-three and 69/10000 (25,833.0069) hectares.

6       These areas shall be under the administrative jurisdiction of the Department of  
7       Environment and Natural Resources (DENR) and shall be administered in accordance  
8       with the provisions of this Act.

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

11      (a) “Biological diversity” refers to the variety and variability among living organisms  
12      and the ecological complexes in which said organisms occur.

13      (b) “Buffer zones” refers to identified areas outside the boundaries of and  
14      immediately adjacent to designated protected areas pursuant to Section 8 of the NIPAS  
15      Act that need special development and control in order to provide an extra layer around  
16      the PA where restrictions may apply and managed according to the management plan  
17      and applicable rules and regulations as provided for in this Act and related statutes.

18      (c) “Indigenous people” refers to people sharing common bonds of language,  
19      customs, traditions and other distinctive cultural traits, and who have since time  
20      immemorial occupied, possessed and utilized a territory.

21      (d) “Mt. Hilong-Hilong Protected Area Fund” refers to a trust fund established for  
22      purposes of financing the projects of the system.

23      (e) “Nongovernment organization (NGO)” refers to any civic development or  
24      philanthropic organization which is multi-sectoral in character.

25      (f) “People’s organization (PO)” refers to a group of people, which may be an  
26      association, cooperative, federation, or aggrupation of individuals or groups, with an  
27      *identifiable structure of decision-making and accountability, established to undertake*  
28      collective action to address community concerns and needs in relation to the PA.

29      (g) “Protected Area” or “PA” refers to identified portions of land and water set aside  
30      by reason of their unique physical and biological significance, managed to enhance  
31      biological diversity and protected against destructive human exploitation.

32      (h) “Protected Area Management Board (PAMB)” refers to the site-based decision-  
33      *making body responsible in the planning, resource protection and general*  
34      administration of the area in accordance with the approved management plan.

35      (i) “Protected Area Superintendent (PASu)” refers to the chief operating officer of  
36      the DENR at the PA.

37      (j) “Secretary” refers to the Secretary of the DENR.

38      (k) “Tenured migrant” refers to any person who has actually and continuously

1 occupied an area for five years prior to the designation of the same as PAs in  
2 accordance with the NIPAS Act and are solely dependent therein for subsistence.

3 SEC. 5. *Management of the PA.* – There shall be a PAMB which shall have sole  
4 jurisdiction, power and authority such as, but not limited to, policy-making and permit  
5 granting over the PA for all matters that may affect biodiversity conservation, protection  
6 and sustainable development. It shall be composed of:

7 (1) the Regional Executive Director (RED) of the DENR Region XIII, as Chairman;

8 (2) the City Mayor of Butuan City and the Provincial Governor of Agusan del Norte,  
9 or their duly designated representatives, as members;

10 (3) the Presidents of the Liga ng mga Barangay of the City of Butuan and the  
11 Province of Agusan del Norte, as members;

12 (4) one representative from each tribal community, as members;

13 (5) maximum of three representatives from POs and NGOs, as members;

14 (6) representatives from government agencies involved in the PA management as  
15 may be determined by the DENR, as members;

16 (7) the PASu, as *ex officio* member; and

17 (8) representatives from the water districts of the LGUs concerned, as members;

18 Every member of the PAMB shall serve for a term of five years and shall be  
19 considered to represent his or her sector and deemed to carry the vote of such sector in  
20 all matters. In the case of members who are government officials, the term of office  
21 shall be attached to the office held.

22 In the selection of the representatives of POs and NGOs, preference shall be  
23 accorded to those organizations that are involved in the conservation, protection and  
24 development of the PA. Representation shall be by institution and shall aim to achieve  
25 balance in representation by geographic location or areas.

26 The representatives from the LGUs and national agencies in the PAMB shall  
27 include among their duty to appraise their respective constituents, office or sector, to  
28 ensure that the provisions of this Act is consistent with the

29 Local Government Code of 1991 (R. A. No. 7160), other relevant statutes and  
30 ordinances, and local and national development plans and projects. Failure to comply  
31 with the foregoing shall subject such representative to disciplinary action as the PAMB  
32 may provide.

33 SEC. 6. *Powers and Functions of the PAMB.* – The PAMB of the Mt. Hilong-Hilong  
34 Range Protected Landscape shall have the following powers and functions:

35 (a) Issue rules and regulations to prohibit acts that may be prejudicial to the PA  
36 and to the declaration of policy set forth under the NIPAS;

37 (b) Issue rules and regulations for the resolution of conflicts through appropriate  
38 and effective means;

1 (c) Adopt rules and procedures in the conduct of business, including the creation  
2 of committees to which its powers may be delegated;

3 (d) Approve the management plan and oversee the office of the PASu;

4 (e) Establish criteria and set fees for the issuance of permits for activities regulated  
5 by this Act or the management plan;

6 (f) Deputize appropriate individuals for the enforcement of the laws, rules and  
7 regulations governing the conduct or management of the PA; and

8 (g) Approve proposals for funding, budget allocations and exercise responsibility  
9 over all funds that may accrue to the Mt. Hilong-Hilong Range.

10 The DENR, through the Regional Executive Director (RED), shall exercise the  
11 authority to oversee the PAMB to ensure that it is acting within the scope of its powers  
12 and functions. In case of conflict between Administrative Orders issued by the DENR  
13 pursuant to the NIPAS Act and other laws and resolutions issued by the PAMB, such  
14 conflict shall be referred by PAMB to the Secretary of the DENR who shall decide  
15 whether to apply the rule or withdraw its application. The decision of the DENR  
16 Secretary shall be guided by specific policies adopted by the PAMB and shall be  
17 appealed to the Regional Trial Court that has jurisdiction over the PA.

18 *SEC. 7. Protected Area Superintendent Office.* – There is hereby established a  
19 PASu office in charge of the management, protection and administration of the PA.  
20 The PASu shall be supported by the existing personnel of the DENR. The head of  
21 office shall be the Chief Operating Officer of the Mt. Hilong-Hilong Range Protected  
22 Landscape or PA and shall be accountable to the RED of the DENR-CARAGA and the  
23 PAMB. The PASu shall have the following powers and functions:

24 (1) Prepare the management and successor plans as herein defined;

25 (2) Provide a secretariat for the PAMB which shall have the duty to supply the  
26 PAMB with all the necessary information for appropriate action;

27 (3) Establish a productive partnership with the local community, including groups  
28 interested in the achievement of the goals and objectives of the PA, and in the  
29 planning, protection and management thereof;

30 (4) Develop and implement a park information, education and visitor program;

31 (5) Enforce the laws, rules and regulations relevant to the PA, institute and file  
32 legal action independently or in collaboration with other government agencies or  
33 organizations and assist in the prosecution of offenses committed in violation of this  
34 Act;

35 (6) Monitor all activities within the PA regarding its conformity with the  
36 management plan;

37 (7) Issue PA permits based on terms, conditions and criteria established by the  
38 PAMB; and



1 (8) Perform such other functions as the PAMB may delegate.

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

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

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

24 SEC. 9. *Tenured Migrants and Private Rights.* – Tenured migrants shall be eligible  
25 to become stewards of portions of lands within the allowed and designated zones. The  
26 PAMB shall identify, verify and review all tenure instruments, land claims, and  
27 issuances of permits for resource use within the PA and recommend the issuance of  
28 the appropriate tenure instrument consist with the land classification, proper and  
29 allowed use of resources found therein and zoning provided in the management of  
30 successor plans.

31 Nothing herein shall be construed to mean any diminution of accrued rights earned  
32 by tenured migrants. Should areas occupied by tenured migrants be designated as  
33 zones in which no occupation or other activities are allowed pursuant to the attainment  
34 of sustainable development, provision for the transfer of said tenured migrants to  
35 multiple use zones or buffer zones shall be accomplished through just and humane  
36 means.

37 In the event of termination of a tenure instrument for cause or by voluntary  
38 surrender of rights, the PASu shall take immediate steps to rehabilitate the area in

1 order to return it to its natural state prior to the cultivation or other act by the tenured  
2 migrant.

3 All private rights within the PA shall be protected in accordance with the existing  
4 law.

5 **SEC. 10. *Indigenous People's Rights.*** – Ancestral domain and other  
6 customary rights and interests of indigenous communities within the Mt. Hilong-Hilong  
7 Range Protected Landscape shall be accorded due recognition. The preservation of  
8 ancestral domain and customary rights shall be considered as one of the management  
9 objectives.

10 The PASu staff shall be tasked to locate any indigenous cultural communities that  
11 may exist or near the site, which is identifiable by the tribal leaders.

12 The evaluation of ancestral domain claims within the PA shall be conducted by the  
13 National Commission on Indigenous Peoples (NCIP) pursuant to the provisions of  
14 Republic Act No. 8371, otherwise known as the "The Indigenous Peoples Rights Act of  
15 1997" or the IPRA law, and its implementing rules and regulations, in coordination with  
16 the PAMB.

17 **SEC. 11. *Existing Facilities Within the PA.*** – Within sixty (60) days from the  
18 effectivity of this Act, major existing facilities such as roads, buildings, water systems,  
19 transmission lines, communication facilities, heavy equipment, and irrigation facilities  
20 existing within the boundaries of the PA shall submit project description to the PAMB  
21 through the PASu.

22 The PAMB, with the assistance of the DENR, shall determine whether the  
23 existence of such facility and its future plan and operations will be detrimental to the PA  
24 or whether conditions for its operation shall be imposed. If any such conditions are  
25 violated, the owner of the facility shall be liable to pay a fine of Five thousand pesos  
26 (P5,000.00) for every violation. Upon reaching a total fine of Five hundred thousand  
27 pesos (P500,000.00), the PAMB through the PASu and deputizing other government  
28 entities, shall cause the cessation and demolition of the facility at the cost of its owner.

29 Existing facilities allowed to remain within the PA may be charged a reasonable  
30 royalty by the DENR. All income from such royalty shall accrue to the Mt. Hilong-Hilong  
31 Protected Area Fund.

32 **SEC. 12. *Utilization of Resources.*** – Any exploitation of or utilization of  
33 nonrenewable resources within the PA shall not be allowed. Energy projects, whether  
34 renewable or otherwise, shall be permitted only through an Act of Congress, *Provided*,  
35 that the exploitation of renewable energy up to three megawatts capacity shall be  
36 exempt from such requirement.

37 **SEC. 13. *Special Prosecutor and Retained Counsel.*** – Within thirty (30) days  
38 from the effectivity of this Act, the Department of Justice (DOJ) shall appoint a special

1 prosecutor to whom all cases of violation of laws, rules and regulations in the PA shall  
2 be assigned. Such Special Prosecutor shall coordinate with the PAMB and the PASu  
3 in the performance of his/her duties and assist in the training of wardens and rangers in  
4 arrest and criminal procedures. The PAMB may retain the services of a counsel to  
5 prosecute and/or assist in the prosecution of cases under the direct control and  
6 supervision of the regular or special prosecutor and to defend the members of the  
7 PAMB, the PASu and the staff, or any person assisting in the protection, conservation  
8 and sustainable development of the PA, against any legal action related to their  
9 powers, functions and responsibilities as provided in this Act or as delegated or tasked  
10 by the PAMB.

11 SEC. 14. *Prohibited Acts.* – The following shall be the prohibitions and  
12 penalties applicable to the PA:

13 (1) The penalties and qualifications prescribed in Articles 309 and 310 of the  
14 Revised Penal Code depending on the value of the resources involved in connection  
15 with the prohibited act shall be imposed on any person who:

16 (a) Hunts, takes, destroys, disturbs or possesses any wild terrestrial or aquatic  
17 plants, animals, flora or fauna, or products derived therefrom, within particularly  
18 identified regulated or prohibited areas zones in the PA including private lands without  
19 the necessary PA permit, authorization or exemption, as issued or promulgated by the  
20 PAMB;

21 (b) Cuts, gathers, removes or collects timber or any forest products, within  
22 particularly identified regulated or prohibited areas or zones in the PA including private  
23 lands without the necessary PA permit, authorization or exemption, as issued or  
24 promulgated by the PAMB;

25 (c) Possesses outside the PA any timber, forest products, wild terrestrial or aquatic  
26 plants, animals, flora or fauna so prohibited by the PAMB or products derived therefrom  
27 which is ascertained to have been taken from the PA. It shall be presumed to have  
28 been taken from the PA if the subject plants, animals, flora or fauna is found in  
29 possession of person or conveyances that has traveled to the PA in the past seventy-  
30 two (72) hours;

31 (d) Engages in mineral exploration or extraction, in whatever scale, within the PA  
32 without the necessary PA permit or authorization from the PAMB;

33 (e) Engages in quarrying of sand, gravel, guano, limestone or any material  
34 within the PA without an environmental clearance certificate duly issued by the DENR  
35 and authenticated by the PAMB; and

36 (f) Hunts, collects, removes or destroys endangered or protected species, except  
37 when collection or removal is for scientific research and exempted from the prohibition  
38 by the PAMB.

1 (2) A fine of not less than Five thousand pesos (P5,000.00) but not more than  
2 Two hundred fifty thousand pesos (P250,000.00) and/or imprisonment of not less than  
3 one year nor more than that five years and the restoration and rehabilitation of the  
4 damage shall be imposed on any person who destroys or defaces for no useful purpose  
5 any natural formation within the PA: *Provided*, That the useful purpose thereof is so  
6 defined or provided for in the management plan or is approved as such by the PAMB  
7 prior to the commission of the act.

8 (3) A fine of not less than Five thousand pesos (P5,000.00) but not more than  
9 Two hundred fifty thousand pesos (P250,000.00) and/or imprisonment of not less than  
10 one year nor more that five years shall be imposed upon any public officer, prosecutor  
11 or officer of the law who, in dereliction of the duties of his office, shall, without legal  
12 justification, refrain from instituting prosecution for the punishment of violators of the  
13 law, or shall tolerate the commission of offenses. Conviction of this offense shall also  
14 carry the penalty of perpetual disqualification from public office.

15 Valuation of the damage for this Act shall take into account biodiversity and  
16 conservation considerations as well as aesthetic and scenic value. Valuation assessed  
17 by the DENR or the concerned government agency shall be presumed correct unless  
18 otherwise proven by preponderant evidence.

19 Any person who shall induce another or conspire to commit any of the illegal acts  
20 prohibited in this Act or suffer their workers to commit any of the same shall be liable in  
21 the same manner as the one actually performing the act.

22 All conveyances, vessels, equipment, paraphernalia, implements, gear, tools and  
23 similar devices shall be subject to immediate and administrative confiscation,  
24 independent of the judicial proceedings by the PASu Office upon apprehension, subject  
25 however to due process and substantial evidence requirements. When legal action is  
26 however filed in the regular courts, the said conveyances, vessels, equipment,  
27 paraphernalia, implements, gear, tools and similar devices, independent of the  
28 administrative proceedings, shall not be released until after judgment has been  
29 rendered. Proceeds of the sale of all objects administratively or judicially confiscated  
30 pursuant hereto shall accrue to the IPAF. Procedure for the sale thereof shall be  
31 promulgated by the PAMB.

32 SEC. 15. *Reporting Responsibility.* – The PASu, through the PAMB, shall  
33 submit an annual accomplishment report to the Secretary of the DENR on the activities  
34 undertaken in the PA.

35 SEC. 16. *Appropriations.* – The Secretary of the DENR shall immediately  
36 include in the Department's program the implementation of this Act, the funding of  
37 which shall be included in the annual General Appropriations Act.

38 SEC. 17. *Separability Clause.* – If any part or section of this Act is declared

1 by the court as unconstitutional, such declaration shall not affect the other parts or  
2 sections hereof.

3 SEC. 18. *Construction and Suppletory Application of Existing Laws.* The  
4 provisions of this Act shall be construed liberally in favor of achieving biodiversity  
5 conservation, protection and sustainable development Provisions of Republic Act No.  
6 7586, otherwise known as the National Integrated Protected Areas Management Act of  
7 1992 and existing forestry laws, and their corresponding rules and regulations not  
8 inconsistent hereto shall have the suppletory effect in the implementation of this Act.

9 SEC. 19. *Repealing Clause.* – For the purpose of this Act, the provisions of  
10 the NIPAS Act are hereby modified in accordance with the provisions herein. All other  
11 laws, proclamations, rules and regulations inconsistent with this Act are hereby  
12 repealed or modified accordingly.

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

19

20 Approved,