

Republic of the Philippines
Congress of the Philippines

Metro Manila

Nineteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-second day of July, two thousand twenty-four.

[REPUBLIC ACT NO. 12227]

AN ACT DECLARING A PARCEL OF LAND LOCATED IN THE MUNICIPALITIES OF POLANGUI AND OAS, AND CITIES OF LIGAO AND TABACO, IN THE PROVINCE OF ALBAY, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED LANDSCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM, TO BE REFERRED TO AS THE MT. MASARAGA PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

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

ARTICLE I

GENERAL PROVISIONS

SECTION 1. *Short Title.* — This Act shall be known and referred to as the "Mt. Masaraga Protected Landscape Act".

SEC. 2. *Declaration of Policy.* – Cognizant of the profound impact of human activity on all components of the natural environment, it is hereby declared the policy of the State to secure for the Filipino people of present and future generations, the perpetual existence of all native plants and animals through the declaration of protected areas under the National Integrated Protected Areas System (NIPAS) within the classification of national park as provided for in the Constitution.

In recognition of the richness of the biological resources, both flora and fauna, that are native and distinct to Mt. Masaraga, as well as their aesthetic and ecological importance, a parcel of land of the public domain located in the Municipalities of Oas and Polangui, and the Cities of Ligao and Tabaco, in the Province of Albay, is hereby declared a protected area under the category of protected landscape and shall hereinafter be referred to as the Mt. Masaraga Protected Landscape (MMPL). As such, the State shall ensure the conservation, protection, management, and rehabilitation of the area. It is likewise recognized that effective administration of this area is possible only through cooperation among the national government, local government units (LGUs), concerned non-governmental organizations (NGOs), private entities, and local communities. The use and enjoyment of this area must be consistent with the principles of biological diversity and sustainable development.

Towards this end, the State shall ensure the full implementation of this Act, the mobilization of resources for the institutional mechanisms herein established, and the full scientific and technical support needed for the conservation of biodiversity and the integrity of the ecosystems, and cultural and indigenous practices.

SEC. 3. *Classification as a National Park.* – The MMPL is composed of a parcel of land of the public domain located in the Municipalities of Oas and Polangui, and the Cities of Ligao and Tabaco, in the Province of Albay, the metes and bounds of which are described in Section 4 of this Act. All lands of the public domain within the coverage and scope of the MMPL shall fall under the classification of a national park as provided for in Article XII, Section 3 of the Constitution.

SEC. 4. *Scope and Coverage.* – The boundaries of the MMPL are more particularly described as the area beginning at a point marked "1" on the map being S 23°42'25" E, 630.51 meters from PRS Control Monument "CBM-11" with geographic coordinates of 13°18'41.12556" Latitude and 123°35'47.39395" Longitude within the boundary of the Municipality of Oas and the Cities of Ligao and Tabaco, Province of Albay,

thence S	83°05'20"	W	694.83	meters to corner	2;
thence S	80°02'58"	W	604.82	meters to corner	3;
thence S	76°33'05"	W	494.31	meters to corner	4;
thence N	59°55'53"	W	229.45	meters to corner	5;
thence N	76°25'46"	W	311.79	meters to corner	6;
thence N	53°14'02"	W	238.61	meters to corner	7;
thence N	28°27'37"	W	479.32	meters to corner	8;
thence N	14°57'31"	E	267.00	meters to corner	9;
thence N	64°14'48"	W	217.54	meters to corner	10;
thence N	34°47'21"	W	227.78	meters to corner	11;
thence N	44°04'23"	W	430.3	meters to corner	12;
thence N	08°06'56"	E	550.97	meters to corner	13;
thence N	42°52'44"	E	319.77	meters to corner	14;
thence N	28°41'18"	W	404.04	meters to corner	15;
thence N	58°15'59"	W	351.92	meters to corner	16;
thence N	25°08'47"	W	375.08	meters to corner	17;
thence S	58°28'59"	E	621.38	meters to corner	18;
thence N	32°05'33"	E	348.02	meters to corner	19;
thence N	08°25'37"	E	272.8	meters to corner	20;
thence N	45°00'00"	E	254.42	meters to corner	21;
thence N	60°01'13"	E	292.49	meters to corner	22;
thence S	46°58'53"	E	548.43	meters to corner	23;
thence S	40°41'09"	E	1717.30	meters to corner	24;
thence N	53°14'00"	E	223.03	meters to corner	25;
thence S	47°15'53"	E	1912.7	meters to corner	26;
thence S	06°49'01"	E	233.82	meters to corner	27;
thence S	57°57'45"	W	847.69	meters to corner	1,

from the point of beginning, containing an area of eight hundred forty (840) hectares, more or less. Bearings and distances of lines were derived using the PRS 1992 Philippines Zone IV coordinate system, subject to ground delineation and demarcation.

4

The Certification from the National Mapping and Resource Information Authority (NAMRIA) containing the boundaries and technical descriptions of the MMPL is hereby adopted and made an integral part of this Act. In case of inconsistency, the boundaries and technical descriptions in the attached Certification shall prevail.

Any modification of the scope and coverage of the MMPL in this Act shall be made through an act of Congress, after consultation with the government agencies and stakeholders concerned.

SEC. 5. *Establishment of Buffer Zones.* – The Secretary of the Department of Environment and Natural Resources (DENR), upon the recommendation of the Protected Area Management Board (PAMB) created under Section 6 of this Act, may designate areas surrounding the MMPL as buffer zones for the purpose of providing an extra layer of protection where restrictions may be applied: *Provided*, That in cases where the designated buffer zone would cover private lands, the owners thereof shall be required to design their development with due consideration to the protected area management plan.

ARTICLE II

MANAGEMENT MECHANISMS

SEC. 6. *Protected Area Management Board.* – Within ninety (90) days from the effectivity of this Act, a Protected Area Management Board (PAMB) shall be created to oversee the management of the MMPL. The PAMB shall be composed of the following:

(a) DENR Regional Executive Director for Region V, as Chairperson;

(b) Governor of the Province of Albay or a duly designated representative;

(c) Senators of the Republic of the Philippines who are duly registered residents of the Province of Albay, or their duly authorized representatives, unless the Senators decline the membership in the PAMB;

(d) District Representative of the Congressional district where the MMPL is located, or a duly designated representative, unless the District Representative declines membership in the PAMB;

(e) Mayors of the Municipalities of Oas and Polangui, and the Cities of Ligao and Tabaco, in the Province of Albay or their duly designated representatives;

(f) Chairpersons of all the barangays with territorial jurisdiction over the MMPL;

(g) Regional Directors of the following government agencies: Department of Agriculture (DA), National Economic and Development Authority (NEDA), Department of Science and Technology (DOST), Philippine National Police (PNP), Department of National Defense (DND), and Department of Tourism (DOT);

(h) Three (3) representatives from either NGOs or people's organizations (POs) based in the Province of Albay, duly accredited by both the DENR and the Provincial Government. The NGOs or POs represented should have been in existence for at least five (5) years and with track record in or related to protected area management;

(i) At least one (1) but not more than three (3) representatives from all the indigenous cultural communities /indigenous peoples (ICCs/IPs) present in the area and recognized by the National Commission on Indigenous Peoples (NCIP);

(j) One (1) representative from an academic institution, preferably from a university or college in the Province of Albay, with proven track record in or related to protected area management; and

(k) One (1) representative from the private sector, preferably a resident of the Province of Albay, who is distinguished in a profession or field of interest relevant to the management of a protected area.

The terms of office of PAMB members, as well as the grounds for their removal, shall be in accordance with the provisions of Republic Act No. 7586, otherwise known as the

"National Integrated Protected Areas System Act of 1992", as amended by Republic Act No. 11038, otherwise known as the "Expanded National Integrated Protected Areas System Act of 2018".

SEC. 7. *Powers and Functions of the PAMB.* – The PAMB shall have the following powers and functions:

- (a) Oversee the management of the MMPL;
- (b) Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the MMPL;
- (c) Approve the management plan of the MMPL and ensure its harmonization with and integration into the Ancestral Domain Sustainable Development and Protection Plan (ADSDPP), land use and other development plans, public or private, and their implementation;
- (d) Adopt a manual of operations to include rules of procedure in the conduct of business, and the creation of committees and their respective terms of reference;
- (e) Recommend the deputation of appropriate agencies and individuals for the enforcement of the laws, rules, and regulations governing the management of the MMPL;
- (f) Allocate financial resources for the implementation of the management plan and manage the Protected Area-Retained Income Account (PA-RIA) and other funds in accordance with government accounting, budgeting, and auditing rules and regulations;
- (g) Set fees and charges in accordance with existing guidelines;
- (h) Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
- (i) Recommend appropriate policy changes to the DENR and other government authorities with respect to the management of the MMPL;

(j) Monitor and assess the performance of the Protected Area Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract, or agreement relative to any project or activity within the MMPL;

(k) Recommend the designation or appointment of the PASu from a shortlist of qualified candidates; and

(l) Assess the effectiveness of the management of the MMPL: *Provided*, That the members of the PAMB representing the LGUs and national agencies shall inform their respective constituents, offices, or sectors of PAMB-approved or other relevant policies, rules, regulations, programs, and projects, and shall ensure that the provisions of this Act and the rules and regulations issued to implement it are complied with and used as reference and framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may provide: *Provided, further*, That the DENR, through the Regional Executive Director, shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

SEC. 8. *The Protected Area Management Office.* – There is hereby established a Protected Area Management Office (PAMO) to be headed by a PASu who shall supervise the day-to-day management, protection, and administration of the MMPL. The PASu shall hold a permanent plantilla position and shall be appointed by the DENR Secretary. A sufficient number of support staff with permanent plantilla positions shall likewise be appointed by the DENR Secretary to assist the PASu in the management of the protected area.

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operations of the MMPL. Pursuant thereto, the PASu shall have the following duties and responsibilities:

(a) Prepare the management plan, in consultation with the stakeholders, including the annual work and financial plan, and ensure its implementation;

(b) Ensure the integration of relevant national and LGU plans and programs into MMPL management plans, programs, projects, and policies;

(c) Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision-making;

(d) Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;

(e) Establish, operate, and maintain a database management system which shall be an important basis for decision-making;

(f) Enforce the laws, rules, and regulations relevant to the MMPL, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the prosecution of offenses committed in violation of the provisions of this Act;

(g) Monitor, evaluate, and report the implementation of management activities of the MMPL;

(h) Request for and receive any technical assistance, support, or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, and the private sector, as may be necessary for the effective management, protection, and administration of the MMPL;

(i) Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: *Provided, That* all permits for extraction of natural resources for research purposes, including the collection of wildlife and its by-products or derivatives, shall specify the acts to be authorized, and shall continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu;

(j) Collect and receive pertinent fees, charges, donations, and other income for the MMPL: *Provided*, That such fees, charges, donations, and other income collected and received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;

(k) Prepare and recommend to the PAMB, the approval of the annual work and financial plans of the MMPL based on the management plan; and

(l) Perform such other functions as the PAMB and the DENR may assign.

The PAMO may be augmented by the deputized local environment and natural resources officers upon the recommendation of the PAMB and approval of the DENR.

ARTICLE III

PROCEEDS AND FEES

SEC. 9. *The Mt. Masaraga Protected Landscape Integrated Protected Area Fund.* – There is hereby established a trust fund to be known as the Mt. Masaraga Protected Landscape Integrated Protected Area Fund (MMPL-IPAF) for purposes of financing projects of the MMPL and the NIPAS. All income generated from the operation and management of the MMPL shall accrue to the MMPL-IPAF. The income shall be derived from fees and charges from the use of resources and facilities of the MMPL, contributions from industries and facilities directly benefiting from the MMPL, and such other fees and income derived from the operation of the MMPL.

The PAMB shall retain seventy-five percent (75%) of all revenues raised through the above means, which shall be deposited in the PA-RIA in any authorized government depository bank within the locality: *Provided*, That disbursements out of such deposits shall be used solely for the protection, maintenance, administration, and management of the MMPL and implementation of duly approved projects of the PAMB. The remaining twenty-five percent (25%) of revenues shall be deposited as a special account in the General

Fund of the National Treasury for purposes of financing the projects of the NIPAS.

The fund may be augmented by grants, donations, and endowments from various sources, domestic or foreign: *Provided*, That the fund shall be deposited in full as a special account in the National Treasury and disbursements therefrom shall be made solely for the protection, maintenance, administration, and management of the NIPAS and for duly approved projects endorsed by the PAMB in accordance with existing accounting, budgeting, and auditing rules and regulations: *Provided, further*, That the fund shall not be used to cover personal services expenditures.

The LGUs shall continue to impose and collect all other fees not enumerated herein which they have traditionally collected, such as for business permits, property tax, and rentals of LGUs' facilities.

ARTICLE IV

MISCELLANEOUS PROVISIONS

SEC. 10. *Appropriations.* – The Secretary of the DENR shall immediately include in the Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 11. *Suppletory Application of the NIPAS Law.* – The provisions of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have suppletory application to this Act.


SEC. 12. *Implementing Rules and Regulations.* – Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR shall, in consultation with the local governments of the Municipalities of Oas and Polangui, and the Cities of Ligao and Tabaco, the Provincial Government of Albay, and concerned national government agencies, issue the corresponding rules and regulations for the effective implementation of this Act.


SEC. 13. *Separability Clause.* – If any section or provision of this Act is held unconstitutional or invalid, the remaining sections or provisions not affected thereby shall continue to be in full force and effect.

SEC. 14. *Repealing Clause.* – All laws, decrees, executive orders, rules and regulations, and other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed or modified accordingly.


SEC. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in a newspaper of general circulation.

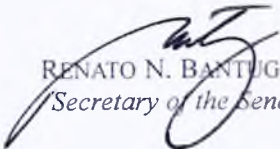
Approved,


FERDINAND MARTIN G. ROMUALDEZ
*Speaker of the House
of Representatives*


FRANCIS "CHIZ" G. ESCUDERO
President of the Senate

This Act was passed by the Senate of the Philippines as Senate Bill No. 2616 on December 16, 2024 and adopted by the House of Representatives as an amendment to House Bill No. 8202 on January 15, 2025.


REGINALD S. VELASCO
*Secretary General
House of Representatives*


RENATO N. BANTUG JR.
Secretary of the Senate

Approved: JUL 09 2025




FERDINAND ROMUALDEZ MARCOS JR.
President of the Philippines

