



## HOUSE OF REPRESENTATIVES

H. No. 6486

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BY REPRESENTATIVES RODRIGUEZ (I.), MATUGAS AND ABAYA, PER  
COMMITTEE REPORT NO. 2353

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AN ACT DECLARING THE PAMITINAN CAVE IN THE MUNICIPALITY OF RODRIGUEZ, PROVINCE OF RIZAL A PROTECTED AREA UNDER THE CATEGORY OF PROTECTED LANDSCAPE, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES

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

1           SECTION 1. *Title.* – This Act shall be known as the “Pamitinan  
2 Protected Landscape (PPL) Act of 2012”.

3           SEC. 2. *Declaration of Policy.* – It is the declared policy of the State  
4 to ensure its protection and conservation of the historical, cultural,  
5 archaeological and ecological significance of the Pamitinan Cave as part of the  
6 country’s natural wealth. Pursuant thereto, the State shall ensure the full  
7 implementation of this Act, the mobilization of resources for the institutional  
8 mechanism herein established, and the full scientific and technical support  
9 needed for the conservation of biodiversity and its surroundings and other cave  
10 ecosystems.

1           SEC. 3. *Scope and Coverage.* – The boundaries of the PPL within the  
2 Municipality of Rodriguez in the Province of Rizal are hereby defined as  
3 follows:

4           Beginning at a point marked “1” on the map with geographical  
5 coordinates 121° 10’ 45.75” longitude and 14° 43’ 18.67” latitude:

6           Thence Due North at 3,000 meters to Point 2.

7           Thence Due East at 2,000 meters to Point 3,

8           Thence Due South at 3,000 meters to Point 4,

9           Thence Due West at 2,000 meters to Point 1; the point of beginning,  
10 containing an area of six hundred (600) hectares.

11           The Department of Environment and Natural Resources (DENR) shall  
12 appropriately mark on the ground, with clearly visible markers, the technical  
13 descriptions provided in this Act and shall prepare appropriate maps therefor.

14 Any modification of the coverage of this Act due to such factors as changing  
15 ecological situations, new scientific or archaeological findings, or discovery of  
16 traditional boundaries not previously taken into account shall be made through  
17 an act of Congress, after consultation with the affected public and concerned  
18 government agencies.

19           SEC. 4. *Land Classification.* – All lands comprising the PPL shall fall  
20 under the classification of National Park as provided for in the Philippine  
21 Constitution.

22           SEC. 5. *Buffer Zones.* – Buffer zones surrounding the PPL shall be  
23 established pursuant to the National Integrated Protected Areas System  
24 (NIPAS) Act for the purpose of providing an extra layer of protection around  
25 the area, where restrictions can apply and communities can assist in repelling  
26 threats to the PPL. Such buffer zones shall be managed according to the  
27 management plan formulated pursuant to this Act.

1           SEC. 6. *Definition of Terms.* – For purposes of this Act, the following  
2 terms are defined as follows:

3           (a) *Biodiversity* refers to the variety and variability among living  
4 organisms and the ecological complexes in which said organisms occur.

5           (b) *Biological resources* refer to the genetic resources, organisms or  
6 parts thereof, population, or any other biotic component of ecosystems with  
7 actual or potential use or value for humanity.

8           (c) *Bioprospecting* refers to the research, collection and utilization of  
9 biological and genetic resources for purposes of applying the knowledge  
10 derived therefrom solely for commercial purposes.

11           (d) *Buffer zones* refer to identified areas outside the boundaries of and  
12 immediately adjacent to designated protected areas that need special  
13 development control in order to avoid or minimize harm to the protected area.

14           (e) *Byproducts* or *derivatives* refer to any part taken or substance  
15 extracted from wildlife, in raw or in processed form. This includes stuffed  
16 animals and herbarium specimens.

17           (f) *Collection* or *collecting* refers to the act of gathering or harvesting  
18 wildlife, its byproducts or derivatives.

19           (g) *Conservation* refers to the sustainable utilization of wildlife, and/or  
20 maintenance, restoration and enhancement of the habitat.

21           (h) *Ecosystem* refers to the dynamic complex of plant, animal and  
22 microorganism communities and their nonliving environment interacting as a  
23 functional unit.

24           (i) *Endangered species* refer to species or subspecies that are not  
25 critically endangered but whose survival in the wild is unlikely if the causal  
26 factors causing grave danger to their natural occurrence and survival continue  
27 operating.

1           (j) *Endemic species* refer to the species or subspecies of flora and  
2 fauna which are naturally occurring and found only within specific areas in the  
3 country.

4           (k) *Exotic species* refer to species or subspecies of flora and fauna  
5 which do not naturally occur within the protected area at present or in  
6 historical time.

7           (l) *Habitat* refers to a place or type of environment where species or  
8 subspecies naturally occur or has naturally established its population.

9           (m) *Hunting* refers to the collection of wild fauna for food and/or  
10 recreational purposes with the use of weapons such as guns, bow and arrow,  
11 spear and the like.

12           (n) *Management Board* refers to the Management Board of the PPL.

13           (o) *Management plan* refers to the fundamental plan, strategy and/or  
14 scheme which shall guide all activities relating to the PPL in order to attain the  
15 objectives of this Act.

16           (p) *PPL* refers to the Pamitinan Protected Landscape.

17           (q) *PPL Fund* refers to the revolving fund to be established for the  
18 purpose of financing projects in the PPL.

19           (r) *Mineral* refers to all naturally occurring inorganic substance in  
20 solid, gas, liquid or any intermediate state including energy materials such as  
21 coal, petroleum, natural gas, radioactive materials and geothermal energy.

22           (s) *National Integrated Protected Areas System (NIPAS)* refers to the  
23 classification and administration of all designated protected areas to maintain  
24 essential ecological processes and life-support systems, to preserve genetic  
25 diversity, to ensure sustainable use of resources found therein, and to maintain  
26 their natural condition to the greatest extent possible.

1 (t) *NIPAS Act* refers to the National Integrated Protected Areas System  
2 (NIPAS) Act of 1992 or Republic Act No. 7586, and its implementing rules  
3 and regulations.

4 (u) *National park* refers to the land of the public domain classified as  
5 such in the 1987 Constitution which includes all areas under the NIPAS  
6 pursuant to Republic Act No. 7586 primarily designated for the conservation  
7 of native plants and animals, their associated habitats and cultural diversity.

8 (v) *Nongovernment organization (NGO)* refers to an agency,  
9 institution, foundation or a group of persons whose purpose is to assist  
10 people's organizations/associations in various ways including, but not limited  
11 to, organizing, educating, training, researching and/or resource accessing.

12 (w) *People's organization (PO)* refers to a group of organized migrant  
13 communities and/or interested indigenous peoples which may be an  
14 association, cooperative, federation or other legal entity, established to  
15 undertake collective action to address community concerns and needs and  
16 mutually share the benefits of the endeavor.

17 (x) *Protected area* refers to identified portions of land or water set  
18 aside by reasons of their unique physical and biological significance, managed  
19 to enhance biological diversity and protected against destructive human  
20 exploitation.

21 (y) *Protected Area Management Board (PAMB)* refers to a  
22 multisectoral policy-making body created in accordance with Republic Act No.  
23 7586 or the NIPAS Act of 1992.

24 (z) *Protected Area Superintendent (PASu)* refers to the chief operating  
25 DENR officer of the PPL.

26 (aa) *Protected landscape* refers to an area of national significance,  
27 which is characterized by the harmonious interaction of man and land while

1 providing opportunities for public enjoyment through recreation and tourism  
2 within the normal lifestyle and economic activity of the area.

3 (bb) *Quarrying* refers to the process of extracting, removing and  
4 disposing quarry resources found on or underneath the surface of private or  
5 public land.

6 (cc) *Strict protection zone* refers to a natural area with high  
7 biodiversity value which shall be closed to all human activity except for  
8 scientific studies and/or ceremonial or religious use by the indigenous cultural  
9 communities/indigenous peoples; may include habitats of threatened species,  
10 or degraded areas that have been designated for restoration and subsequent  
11 protection, even if these areas are still in various stages of regeneration.

12 (dd) *Tenured migrants* refer to forest occupants within the PPL who  
13 have actually and continuously occupied a portion of the protected area for at  
14 least five (5) years as of the passage of this Act who are solely dependent  
15 therein for subsistence. A protected area occupant is understood to be “solely  
16 dependent for subsistence” when everything indispensable for the survival of  
17 the household, including food, clothing, shelter and health, comes only from  
18 the utilization of resources from the protected area.

19 (ee) *Wildlife* refers to wild forms and varieties of flora and fauna, in all  
20 developmental stages, including those which are in captivity or are being bred  
21 or propagated.

22 SEC. 7. *Management Plan.* – There shall be a management plan  
23 promulgated for the PPL that shall serve as the basic long-term framework plan  
24 in the management of the protected area and guide in the preparation of its  
25 annual operations plan and budget.

26 Within one (1) year from the effectivity of this Act, the management  
27 plan shall have been put into effect following the general management planning

1 strategy provided for under the NIPAS Act and according to the procedure  
2 herein set forth. It shall contain, among others, the following:

- 3 (a) The category of the protected area;
- 4 (b) Period of applicability of the plan;
- 5 (c) Key management issues;
- 6 (d) Goals and objectives of management in support of Section 2 hereof;
- 7 (e) Site management strategy;
- 8 (f) Major management activities such as, but not limited to,  
9 enforcement of laws, habitat and wildlife management, sustainable use  
10 management, infrastructure development and maintenance, and fire and pest  
11 control;
- 12 (g) Zoning; and
- 13 (h) Visitor management programs.

14 The management plan shall be prepared by the Protected Area  
15 Superintendent (PASu) in coordination with the appropriate offices of the  
16 Department, local communities and the NGOs. It shall be reviewed and  
17 approved by the PAMB and certified by the Secretary of the Department. Such  
18 certification shall be mandatory to ensure that the plan conforms to all laws  
19 and the applicable rules and regulations issued by the Department: *Provided,*  
20 *however,* That the Secretary may revise and modify the protection and  
21 conservation plan, after consultation with the PAMB, prior to certification to  
22 ensure conformity with applicable laws, rules and regulations.

23 A year before the expiration of the period of applicability of the  
24 management plan in effect, the PASu shall cause the publication in a  
25 newspaper of general circulation in the concerned municipalities of a notice  
26 soliciting comments and suggestions on the successor plan. Notices shall also  
27 be posted in the respective provincial and municipal halls of the concerned  
28 provinces and municipalities as well as in the barangay halls bounding or

1 immediately adjacent to the protected landscape. The proposed management  
2 plan shall be made available to the public during the period for comment and  
3 the final plan shall likewise be made available for public perusal at the office  
4 of the PASu upon the approval of the PAMB: *Provided*, That the plans shall  
5 be plainly written in a language understandable by the residents of the area.

6 **SEC. 8. *Management of the Pamitanan Protected Landscape (PPL).*** –

7 There is hereby created a PAMB which shall have jurisdiction, power and  
8 authority over the PPL for all matters that may affect biodiversity conservation,  
9 protection and sustainable development.

10 It shall be composed of:

11 (a) The Regional Executive Director (RED) of the DENR Region IV-A  
12 as Chairperson;

13 (b) The Provincial Planning and Development Coordinator (PPDC) of  
14 the Province of Rizal;

15 (c) The Municipal Mayor of Rodriguez in the Province of Rizal or its  
16 duly designated representative;

17 (d) The Barangay Chairman of San Rafael, Rodriguez, Rizal or its duly  
18 designated representative;

19 (e) One (1) representative from each department or national  
20 government agency directly involved in the PPL or has long-term projects or  
21 permanent facility located therein; and

22 (f) At least three (3) representatives from accredited NGOs/POs  
23 operating in the PPL, which has been existing for five (5) years with track  
24 records related to the protection and management of the PPL.

25 Each member of the PAMB shall serve for a term of five (5) years and  
26 shall be considered to represent his or her sector and deemed to carry the vote  
27 of such sector in all matters. In the case of members who are government  
28 officials, their appointment shall be coterminous with their terms of office.



1           The members of the PAMB shall be appointed by the Secretary of the  
2 DENR in conformity with the provisions of the NIPAS Act. As a transitory  
3 provision, the initial members of the PAMB shall be nominated from the  
4 current members of the interim PAMB of the PPL: *Provided*, That the PAMB  
5 shall include women as members.

6           The representatives from the local government units (LGUs) and  
7 national agencies in the PAMB shall likewise perform the duty to inform their  
8 respective constituents, office or sector of the PAMB-approved or other  
9 relevant policies, rules, regulations, programs and projects, and to ensure that  
10 the provisions of this Act, the NIPAS Act and its implementing rules and  
11 regulations are observed, complied with, and used as reference and framework  
12 in their respective plans, policies, programs and projects. Failure to comply  
13 with the foregoing shall subject such representative to disciplinary action as the  
14 PAMB may provide.

15           The members of the PAMB shall not receive any salary but shall be  
16 entitled to reimbursements for actual and necessary expenses incurred, either in  
17 their attendance in meetings of the PAMB or in connection with other official  
18 business authorized by a resolution of the PAMB, subject to existing rules and  
19 regulations.

20           SEC. 9. *Powers and Functions of the PAMB.* – The PAMB of the  
21 PPL, which shall decide by consensus or by majority vote of the members  
22 present in a meeting, there being a quorum, shall have the following powers  
23 and functions in addition to those provided under Republic Act No. 7586 or  
24 the NIPAS Act of 1992 and its implementing rules and regulations:

25           (a) Issue rules and regulations to prohibit acts that may be prejudicial  
26 to the PPL and to the declaration of policy set forth under the NIPAS;

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

1 (c) Adopt rules and procedures in the conduct of business, including  
2 the creation 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  
5 activities regulated by this Act or the management plan;

6 (f) Recommend the deputization of appropriate individuals for the  
7 enforcement of the laws, rules and regulations governing the conduct or  
8 management of the PPL;

9 (g) Approve fees and charges in accordance with existing guidelines  
10 and raise funds for the PPL;

11 (h) Manage the allocation of the PPL Fund, and other funds for the  
12 PPL, ensure their proper administration and render accounting; and

13 (i) Recommend appropriate policy changes to the DENR and other  
14 government authorities.

15 The DENR, through the RED, shall ensure that the PAMB acts within  
16 the scope of its powers and functions. In case of a conflict between  
17 administrative orders of national application issued by the DENR pursuant to  
18 the NIPAS Act and the resolutions issued by the PAMB, the PAMB shall  
19 notify the DENR Secretary who shall decide whether to apply the rule or  
20 withdraw its application in the PPL.

21 *SEC. 10. The Protected Area Superintendent (PASu) Office.* – There  
22 is hereby established a PASu Office within the DENR Regional Office to be in  
23 charge of the management, protection and administration of the PPL. The  
24 PASu shall be supported by the existing personnel of the DENR. The head of  
25 office shall be the chief operating officer of the PPL and shall be directly  
26 accountable to the PAMB.

27 The PASu shall have full responsibility for the protection of land, water,  
28 wildlife and other natural physical and biological resources within the PPL. As

1 such, the PASu shall have the following duties and responsibilities in addition  
2 to those provided under the NIPAS Act and its implementing rules and  
3 regulations:

4 (a) Establish, operate and maintain a database management system as  
5 decision support tool;

6 (b) Prepare the management plans as herein defined;

7 (c) Provide a secretariat for the PAMB and supply the PAMB with all  
8 the necessary information to make appropriate decisions for the  
9 implementation of this Act;

10 (d) Enforce the laws, rules and regulations relevant to the PPL, institute  
11 and file legal action independently or in collaboration with other government  
12 agencies or organizations and assist in the prosecution of offenses committed  
13 in violation of this Act;

14 (e) Monitor all activities within the PPL to ensure its conformity with  
15 the management plan;

16 (f) Recommend the issuance of permits based on terms, conditions and  
17 criteria established by the PAMB;

18 (g) Ensure the integration of the PPL management policies, regulations,  
19 programs and projects in all concerned national and LGUs; and

20 (h) Perform such other functions as the PAMB may delegate.

21 The PASu shall be supported by a sufficient number of personnel who  
22 shall be performing day-to-day management, protection and administration of  
23 the PPL. Upon the recommendation of the PAMB, the DENR RED shall  
24 deputize local community leaders and environment and natural resources  
25 officers.

26 SEC. 11. *Pilgrimage Area.* — The entry of people who visit the PPL  
27 for cultural and religious purposes and other activities that have benign impact  
28 on the sustainability and biodiversity of the area shall be regulated by the

1 PAMB. For such purpose, the PAMB shall designate parts of the PPL where  
2 cultural and religious activities are allowed under terms and conditions  
3 pursuant to Section 7 of this Act.

4 SEC. 12. *Pamitinan Protected Landscape (PPL) Fund.* – There is  
5 hereby established a revolving fund to be known as the PPL Fund for purposes  
6 of financing projects in the PPL.

7 Income shall be derived from fees from visitors/tourists, fees from  
8 permitted sale and export of flora and fauna and other resources from the PPL,  
9 proceeds from the registration and lease of multiple-use areas, including  
10 tourism concessions, fees, proceeds and contributions from industries and  
11 facilities directly benefiting from the PPL, and such other fees and income  
12 derived from the operation of the PPL. *Provided,* That the seventy-five  
13 percent (75%) shall be set aside and retained by the PAMB which shall  
14 appropriate the same exclusively for the management and operation of the  
15 PPL: *Provided, further,* That the remaining twenty-five percent (25%) shall be  
16 remitted to the central Integrated Protected Areas Fund (IPAF).

17 The PPL Fund may be augmented by grants, donations, endowment  
18 from various sources, domestic or foreign, for purposes related to their  
19 functions: *Provided,* That disbursements therefrom shall be made solely for  
20 the protection, maintenance, administration and management of the system and  
21 duly approved projects endorsed by the PAMB in accordance with existing  
22 accounting and budgeting rules and regulations: *Provided, further,* That the  
23 Fund shall not be used to cover personal services expenditures.

24 The LGUs shall continue to impose and collect all other fees not  
25 enumerated herein which they have traditionally collected, such as business  
26 permits and rentals of the LGUs facilities: *Provided,* That the LGUs shall not  
27 impose property tax and issue new tax declaration for areas covered by the  
28 PPL. Furthermore, LGUs may charge add-ons to fees imposed by the PAMB:

1 *Provided*, That such add-ons shall be based on the contribution of the LGUs in  
2 the maintenance and protection of the PPL.

3 SEC. 13. *Tenured Migrants and Other PPL Stakeholders.* -- Tenured  
4 migrants shall be eligible to become stewards of portions of lands within  
5 allowable zones. The PAMB shall identify, verify and review all tenurial  
6 instruments, land claims and issuances of permits for resource-use within the  
7 PPL and recommend the issuance of the appropriate tenure instrument  
8 consistent with the zoning provided in the management plan.

9 Should areas occupied by the tenured migrants be designated as zones  
10 in which no occupation or other activities are allowed pursuant to the  
11 attainment of sustainable development, provision for the transfer of said  
12 tenured migrants to multiple-use zones or buffer zones shall be accomplished  
13 through just and humane means.

14 In the event of termination of a tenurial instrument for cause or by  
15 voluntary surrender of rights, the PASu shall take immediate steps to  
16 rehabilitate the area in order to return it to its natural state prior to the  
17 cultivation or other acts by the tenured migrants.

18 Within three (3) months from the passage of this Act, the PASu shall  
19 submit to the PAMB the complete list of tenured migrants which list shall be  
20 final upon approval of the PAMB.

21 SEC. 14. *Existing Facilities Within the PPL.* -- Within sixty (60) days  
22 from the effectivity of this Act, existing facilities such as roads, buildings,  
23 water systems, transmission lines, communication facilities, heavy equipment  
24 and irrigation facilities existing within the boundaries of the PPL shall submit  
25 project descriptions to the PAMB through the PASu.

26 The PAMB, with the assistance of the DENR, shall determine whether  
27 the existence of such facility and its future plans and operations will be  
28 detrimental to the PPL or whether conditions for its operation shall be

1 imposed. If any such conditions are violated, the owner of the facility shall be  
2 liable to pay a fine of Five thousand pesos (P5,000.00) for every violation.  
3 Upon reaching a total fine of Five hundred thousand pesos (P500,000.00), the  
4 PAMB through the PASu and other government entities it may deputize, shall  
5 cause the cessation and demolition of the facility at the cost of its owner.

6 Existing facilities allowed to remain within the PPL may charge a  
7 reasonable royalty by the PAMB. All income from such royalty shall accrue to  
8 the PPL Fund.

9 SEC. 15. *Renewable and Nonrenewable Resources.* – Any exploration  
10 and exploitation or utilization of nonrenewable resources including mining  
11 within the PPL shall not be allowed. Renewable energy projects within the  
12 PPL shall be permitted only through an act of Congress except those involving  
13 wind, sun and water sources and not more than three (3) megawatts capacity  
14 for mini-hydro power: *Provided*, That these renewable energy projects are  
15 outside the strict protection zone, adopt reduced impact technologies, and  
16 undergo Environmental Impact Assessment (EIA) as provided by law:  
17 *Provided, further*, That the PAMB has endorsed the project.

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

1 powers, functions and responsibilities as provided for in this Act or as  
2 delegated or tasked by the PAMB.

3 SEC. 17. *Local Government Units (LGUs)*. – The LGUs within the PPL  
4 shall participate in its management through representation in the PAMB as  
5 provided under Section 8 hereof. Said LGUs may appropriate portions of their  
6 share from the annual internal revenue allotment and other income for use of  
7 the PPL: *Provided*, That all funds directly coming from the LGUs shall be  
8 exempted from the twenty-five percent (25%) remittance requirement for the  
9 central IPAF.

10 SEC. 18. *Prohibited Acts and Penalties*. – In addition to those provided  
11 in the NIPAS Act, the following acts shall be prohibited and shall be penalized  
12 as follows:

13 (a) The penalties and qualifications prescribed in Articles 309 and 310  
14 of the Revised Penal Code, depending on the value of the resources involved in  
15 connection with the prohibited acts or a fine of at least triple the value of the  
16 said resources, or both, shall be imposed upon any person who:

17 (1) Takes, destroys, collects, disturbs or possesses any wild terrestrial  
18 or aquatic plants or animals, flora or fauna, sand, rocks or byproducts derived  
19 therefrom, within particularly identified regulated or prohibited areas or zones  
20 in the PPL including private lands without the necessary permit, authorization  
21 or exemption: *Provided*, That hunting of animals shall be absolutely  
22 prohibited except for scientific research;

23 (2) Cuts, gathers, removes or collects timber or any forest products,  
24 within particularly identified regulated or prohibited areas or zones in the PPL  
25 including private lands without the necessary permit, authorization or  
26 exemption;

1 (3) Possesses or transports, within or outside the PPL any timber, forest  
2 products, wild terrestrial or aquatic plants, animals or byproducts derived  
3 therefrom which is ascertained to have been taken from within the PPL;

4 (4) Undertakes mineral exploration or extraction within the PPL;

5 (5) Engages in quarrying of sand, gravel, guano, limestone or any  
6 material within the PPL;

7 (6) Hunts, collects, removes or destroys any endangered or protected  
8 species, except when collection or removal is for scientific research and  
9 exempted from the prohibition by the PAMB;

10 (7) Conducts bioprospecting within the PPL without prior PAMB  
11 approval in accordance with existing guidelines;

12 (8) Engages in *kaingin*, or in any manner, causing forest fires inside the  
13 PPL; or

14 (9) Establishes or introduces any exotic species, within the PPL, which  
15 are detrimental to endemic species and the ecosystem therein.

16 (b) A fine of not less than Five thousand pesos (P5,000.00) but not  
17 more than Five hundred thousand pesos (P500,000.00) or imprisonment from  
18 one (1) year but not more than six (6) years, or both, shall be imposed upon  
19 any person who:

20 (1) Violates any rules and regulations in the management plan or by the  
21 PAMB or agreements reached before the PAMB in the exercise of adjudicative  
22 functions;

23 (2) Erects any structure on land or on water for any purpose outside the  
24 management plan, duly allowed by the PAMB: *Provided*, That large-scale  
25 private infrastructure and other projects such as medium to high density  
26 residential subdivisions, medium to large commercial and industrial  
27 establishments, heavily mechanized commercial and nontraditional farming,



1 and other activities that cause increased in-migration and resource degradation  
2 are absolutely prohibited;

3 (3) Throws, dumps or causes to be dumped into the PPL any  
4 nonbiodegradable material or waste whether liquid, solid or gas;

5 (4) Uses, dumps, places or causes to be placed into the PPL toxic  
6 chemicals and nonbiodegradable products, including pesticides and other  
7 hazardous substances, soaps and shampoos, and washing detergents, unless the  
8 same is expressly allowed in the management plan;

9 (5) Prospects, hunts or otherwise locates hidden treasures within the  
10 PPL;

11 (6) Informally occupies or dwells in any land within the PPL without  
12 clearance from the PAMB;

13 (7) Possesses or uses blasting caps or explosives anywhere within the  
14 PPL;

15 (8) Destroys, excavates, vandalizes or, in any manner, damages any  
16 natural formation on land, religious, spiritual, historical sites, artifacts and  
17 other objects of natural or scenic value; or

18 (9) Purchase, or sell, mortgages or leases lands or other portions of the  
19 PPL which are covered by any tenurial instrument.

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

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

1 All conveyances, vessels, equipment, paraphernalia, implements, gears,  
2 tools and similar devices shall be subject to immediate and administrative  
3 confiscation, independent of the judicial proceedings by the PASu Office upon  
4 apprehension, subject to due process and substantial evidence requirements.  
5 When legal action is filed in the regular courts, the said conveyances, vessels,  
6 equipment, paraphernalia, implements, gears, tools and similar devices,  
7 independent of the administrative proceedings, shall not be released until after  
8 judgment has been rendered. Proceeds of the sale of all objects  
9 administratively or judicially confiscated pursuant hereto shall accrue to the  
10 PPL Fund. Procedure for the sale thereof shall be promulgated by the PAMB.  
11 However, in no case shall any confiscated or rescued protected animal species  
12 shall be sold or disposed of in any manner but shall be immediately turned over  
13 to the PASu Office for release in its natural habitat, subject to existing  
14 regulations.

15 The penalties specified in this section shall be in addition to the  
16 penalties contained in Republic Act No. 9072 (National Caves and Cave  
17 Resources Management and Protection Act) and other related laws.

18 Conviction for any offense under this Act of a public officer or officer  
19 of the law shall carry the accessory penalty of perpetual disqualification from  
20 public office.

21 *SEC. 19. Reporting Responsibility.* – The PASu, through the PAMB,  
22 shall submit an annual accomplishment report to the Secretary of the DENR on  
23 the activities undertaken within the PPL.

24 *SEC. 20. Appropriations.* – The Secretary of the DENR shall  
25 immediately include in the Department's program the implementation of this  
26 Act, the funding of which shall be included in the annual General  
27 Appropriations Act.

1           SEC. 21. *Construction and Supplementary Application of Existing Laws.* --

2           The provisions of this Act shall be construed liberally in favor of the protection  
3           and rehabilitation of the PPL and the conversion and restoration of its  
4           biological diversity, taking into account the needs and interests of qualified  
5           tenured migrants, for present and future Filipino generations.

6           The NIPAS Act shall have supplementary effect in the implementation of  
7           this Act.

8           SEC. 22. *Transitory Provision.* -- In order to ensure the recovery and  
9           restoration of biological diversity and to develop sustainable livelihood  
10          opportunities for tenured migrants, the DENR shall henceforth cease to issue  
11          concessions, licenses, permits, clearance, compliance documents or any other  
12          instrument that allows exploitation and utilization of resources within the PPL  
13          until the management plan shall have been put into effect.

14          All existing land use and resources use permits within the PPL shall be  
15          reviewed and shall not be renewed upon their expiration unless consistent with  
16          the management plan and approved by the PAMB.

17          SEC. 23. *Repealing Clause.* -- All laws, presidential decrees, executive  
18          orders, rules and regulations inconsistent with any provision of this Act shall  
19          be deemed repealed or modified accordingly.

20          SEC. 24. *Separability Clause.* -- If any part or section of this Act is  
21          declared by the courts as unconstitutional, such declaration shall not affect the  
22          other parts or sections hereof.

23          SEC. 25. *Effectivity Clause.* -- This Act shall take effect fifteen (15)  
24          days after its publication in the *Official Gazette* or in two (2) national  
25          newspapers of general circulation.

          Approved,