

1 The conservation and protection of biological and physical diversities to
 2 sustain human, plant and animal life shall be pursued through sustainable and
 3 participatory management among the national government, through the
 4 Department of Environment and Natural Resources (DENR) and the provincial
 5 governments of Aklan and Antique, the local government units (LGUs) of the
 6 municipalities of Nabas, Malay and Buruanga in the Province of Aklan and the
 7 municipalities of Libertad and Pandan in the Province of Antique, the
 8 nongovernmental organizations (NGOs), the people's organizations (POs), the
 9 local stakeholders and the indigenous cultural communities (ICCs), particularly
 10 the Aetas, locally called "Ati".

11 SEC. 3. *Declaration as Protected Area.* – Pursuant to and in
 12 accordance with Republic Act No. 7586 or the National Integrated Protected
 13 Areas System Act of 1992 (NIPAS Act), a tract of land of the public domain
 14 situated within the Northwest Panay Peninsula is hereby declared a protected
 15 area under the category of natural park.

16 SEC. 4. *Scope and Coverage.* – The NPPNP shall cover a certain
 17 parcel of land located in the municipalities of Nabas, Malay and Buruanga,
 18 Province of Aklan and in the municipalities of Libertad and Pandan, Province
 19 of Antique. Its boundaries are more particularly described as follows:

20 Beginning at point marked 1 which is N. 55° 58' 30" E., 4,204.40
 21 meters from ATQ-3009 San Roque, Libertad with geographic coordinates of
 22 11° 45' 13.60" North and 121° 59' 8.48" East

23	LINE	BEARING	DISTANCE (meters)
24	1 - 2	N. 74° 18' 17" W.	1,460.76
25	2 - 3	S. 75° 55' 45" W.	241.44
26	3 - 4	N. 25° 58' 25" W.	146.47
27	4 - 5	N. 25° 58' 25" W.	127.80
28	5 - 6	N. 21° 10' 40" W.	341.96

1	6 - 7	N. 76° 10' 24" E.	418.09
2	7 - 8	N. 21° 43' 49" E.	341.24
3	8 - 9	N. 47° 34' 19" W.	68.87
4	9 - 10	S. 82° 32' 07" W.	192.82
5	10 - 11	N. 82° 27' 19" W.	231.61
6	11 - 12	S. 64° 31' 28" W.	223.96
7	12 - 13	N. 54° 15' 15" W.	166.25
8	13 - 14	S. 58° 22' 51" W.	190.24
9	14 - 15	S. 17° 06' 30" W.	294.95
10	15 - 16	S. 65° 35' 03" W.	95.83
11	16 - 17	S. 51° 46' 11" W.	350.28
12	17 - 18	S. 26° 20' 53" W.	159.57
13	18 - 19	S. 40° 43' 55" W.	141.11
14	19 - 20	S. 22° 25' 10" E.	228.33
15	20 - 21	S. 73° 32' 56" E.	258.75
16	21 - 22	S. 04° 59' 06" W.	198.37
17	22 - 23	S. 71° 41' 33" W.	200.05
18	23 - 24	S. 31° 14' 25" W.	185.10
19	24 - 25	S. 56° 35' 09" W.	275.54
20	25 - 26	S. 31° 44' 13" E.	202.60
21	26 - 27	S. 50° 04' 52" W.	188.50
22	27 - 28	N. 55° 46' 54" W.	475.26
23	28 - 29	N. 08° 07' 48" W.	141.42
24	29 - 30	S. 51° 29' 57" W.	562.23
25	30 - 31	N. 60° 02' 16" W.	979.15
26	31 - 32	N. 36° 52' 11" E.	97.15
27	32 - 33	N. 23° 48' 29" E.	121.70
28	33 - 34	N. 32° 24' 23" W.	203.63

1	34 - 35	N. 23° 11' 54" W.	152.32
2	35 - 36	S. 78° 06' 40" W.	582.49
3	36 - 37	S. 20° 06' 45" W.	756.11
4	37 - 38	N. 35° 32' 15" W.	170.83
5	38 - 39	N. 17° 01' 01" E.	165.45
6	39 - 40	N. 60° 47' 50" W.	354.14
7	40 - 41	N. 41° 33' 54" W.	363.00
8	41 - 42	S. 68° 59' 35" W.	872.22
9	42 - 43	S. 42° 13' 16" W.	135.29
10	43 - 44	N. 41° 31' 05" W.	177.31
11	44 - 45	N. 75° 27' 55" W.	181.69
12	45 - 46	N. 49° 16' 04" W.	154.73
13	46 - 47	N. 43° 40' 04" W.	198.11
14	47 - 48	N. 52° 16' 30" W.	218.24
15	48 - 49	N. 49° 53' 56" W.	161.80
16	49 - 50	N. 61° 52' 34" W.	214.19
17	50 - 51	N. 49° 22' 10" W.	1,555.77
18	51 - 52	N. 88° 07' 19" W.	198.78
19	52 - 53	N. 90° 00' 00" W.	237.76
20	53 - 54	S. 89° 50' 56" W.	185.04
21	54 - 55	N. 07° 40' 12" E.	278.66
22	55 - 56	N. 07° 39' 32" E.	58.48
23	56 - 57	N. 07° 45' 57" E.	231.63
24	57 - 58	S. 53° 19' 14" E.	235.54
25	58 - 59	N. 11° 46' 05" E.	79.85
26	59 - 60	N. 33° 06' 40" W.	89.43
27	60 - 61	N. 62° 19' 08" W.	224.35
28	61 - 62	N. 83° 57' 21" W.	278.39

1	62 - 63	S. 64° 06' 27" W.	194.70
2	63 - 64	N. 52° 00' 04" W.	121.82
3	64 - 65	N. 37° 28' 32" W.	136.42
4	65 - 66	N. 70° 48' 22" E.	109.71
5	66 - 67	N. 57° 31' 43" W.	222.95
6	67 - 68	N. 00° 55' 26" E.	151.47
7	68 - 69	N. 86° 00' 32" W.	105.29
8	69 - 70	N. 42° 16' 25" W.	145.26
9	70 - 71	N. 41° 16' 06" W.	159.25
10	71 - 72	N. 86° 05' 29" E.	394.20
11	72 - 73	N. 37° 07' 00" E.	113.34
12	73 - 74	N. 32° 40' 20" W.	266.97
13	74 - 75	N. 83° 39' 35" W.	132.72
14	75 - 76	N. 28° 53' 11" W.	80.91
15	76 - 77	S. 88° 18' 55" E.	166.18
16	77 - 78	N. 33° 27' 55" E.	345.52
17	78 - 79	N. 29° 36' 16" W.	370.85
18	79 - 80	N. 02° 08' 27" W.	261.56
19	80 - 81	N. 54° 03' 57" E.	707.01
20	81 - 82	S. 17° 21' 35" E.	179.89
21	82 - 83	S. 34° 22' 32" W.	416.05
22	83 - 84	S. 04° 24' 58" E.	475.85
23	84 - 85	S. 72° 50' 35" E.	380.92
24	85 - 86	N. 18° 26' 05" E.	69.52
25	86 - 87	S. 41° 49' 12" E.	62.28
26	87 - 88	S. 41° 28' 42" E.	449.94
27	88 - 89	N. 41° 27' 58" E.	928.59
28	89 - 90	N. 33° 31' 28" E.	312.55

1	90 - 91	N. 00° 44' 04" W.	254.07
2	91 - 92	N. 56° 41' 25" E.	246.50
3	92 - 93	N. 30° 15' 23" W.	76.36
4	93 - 94	N. 33° 08' 49" W.	107.22
5	94 - 95	N. 20° 17' 51" E.	142.59
6	95 - 96	N. 34° 59' 31" E.	313.08
7	96 - 97	N. 02° 35' 26" E.	405.30
8	97 - 98	N. 08° 51' 43" W.	199.13
9	98 - 99	N. 73° 04' 20" W.	58.73
10	99 - 100	N. 14° 11' 27" W.	219.21
11	100 - 101	N. 14° 41' 19" W.	260.10
12	101 - 102	N. 76° 43' 24" E.	223.37
13	102 - 103	N. 16° 48' 08" E.	303.04
14	103 - 104	N. 86° 18' 31" W.	170.74
15	104 - 105	N. 33° 50' 24" E.	194.10
16	105 - 106	N. 44° 59' 59" W.	168.41
17	106 - 107	S. 00° 00' 00" W.	78.78
18	107 - 108	N. 56° 36' 41" W.	96.54
19	108 - 109	S. 33° 06' 40" W.	50.31
20	109 - 110	N. 81° 05' 06" W.	94.58
21	110 - 111	N. 00° 00' 00" W.	146.56
22	111 - 112	N. 13° 11' 26" W.	120.43
23	112 - 113	N. 43° 52' 36" W.	66.08
24	113 - 114	S. 50° 16' 52" W.	154.82
25	114 - 115	N. 26° 09' 41" W.	116.35
26	115 - 116	N. 72° 28' 27" W.	182.52
27	116 - 117	S. 59° 39' 24" W.	87.04
28	117 - 118	N. 64° 45' 34" W.	141.78

1	118 - 119	N. 37° 44' 48" E.	287.30
2	119 - 120	N. 25° 12' 16" E.	336.57
3	120 - 121	N. 81° 36' 25" E.	150.62
4	121 - 122	S. 52° 32' 47" E.	815.43
5	122 - 123	N. 32° 59' 28" W.	722.26
6	123 - 124	N. 31° 48' 15" E.	1,218.45
7	124 - 125	N. 88° 11' 31" E.	2,354.63
8	125 - 126	N. 80° 22' 18" W.	208.12
9	126 - 127	N. 10° 14' 38" E.	154.52
10	127 - 128	N. 23° 57' 44" W.	216.52
11	128 - 129	N. 04° 12' 19" W.	249.83
12	129 - 130	N. 60° 43' 29" W.	138.62
13	130 - 131	N. 10° 06' 18" W.	187.95
14	131 - 132	N. 52° 09' 37" E.	259.82
15	132 - 133	N. 76° 53' 26" E.	137.32
16	133 - 134	N. 58° 12' 45" E.	153.03
17	134 - 135	N. 22° 08' 42" E.	170.11
18	135 - 136	N. 62° 13' 32" E.	310.59
19	136 - 137	S. 77° 14' 59" E.	257.34
20	137 - 138	N. 03° 35' 55" E.	291.87
21	138 - 139	S. 40° 45' 48" E.	210.44
22	139 - 140	S. 65° 29' 33" E.	136.91
23	140 - 141	S. 57° 03' 40" W.	154.99
24	141 - 142	S. 32° 28' 16" E.	238.87
25	142 - 143	S. 17° 31' 32" E.	73.01
26	143 - 144	S. 86° 42' 53" E.	870.26
27	144 - 145	N. 63° 26' 05" W.	92.17
28	145 - 146	N. 87° 35' 11" E.	269.21

1	146 - 147	S. 74° 15' 49" E.	394.59
2	147 - 148	N. 76° 40' 31" E.	286.18
3	148 - 149	S. 05° 17' 24" W.	132.47
4	149 - 150	N. 77° 51' 19" E.	453.92
5	150 - 151	N. 22° 44' 38" W.	202.18
6	151 - 152	N. 57° 03' 02" E.	157.19
7	152 - 153	N. 43° 05' 27" E.	103.69
8	153 - 154	N. 01° 47' 28" W.	124.04
9	154 - 155	S. 68° 07' 13" E.	201.60
10	155 - 156	S. 04° 07' 39" W.	237.56
11	156 - 157	S. 40° 56' 26" E.	268.40
12	157 - 158	S. 49° 38' 07" E.	256.48
13	158 - 159	S. 83° 49' 47" E.	181.82
14	159 - 160	S. 67° 53' 25" E.	168.74
15	160 - 161	S. 19° 34' 23" E.	116.66
16	161 - 162	S. 72° 44' 03" E.	189.29
17	162 - 163	S. 45° 34' 02" E.	174.46
18	163 - 164	S. 11° 52' 03" E.	344.46
19	164 - 165	S. 47° 14' 18" E.	1,061.36
20	165 - 166	S. 47° 49' 38" E.	444.84
21	166 - 167	N. 08° 58' 21" W.	140.96
22	167 - 168	N. 01° 49' 28" W.	93.39
23	168 - 169	N. 45° 39' 57" E.	212.48
24	169 - 170	S. 00° 00' 00" W.	85.50
25	170 - 171	S. 54° 25' 14" E.	390.45
26	171 - 172	S. 01° 47' 23" E.	234.62
27	172 - 173	S. 00° 31' 49" E.	263.83
28	173 - 174	S. 48° 41' 28" E.	321.94

1	174 - 175	S. 58° 25' 15" E.	1,478.66
2	175 - 176	N. 15° 26' 26" W.	290.86
3	176 - 177	N. 59° 03' 11" E.	92.41
4	177 - 178	S. 64° 08' 01" E.	194.07
5	178 - 179	S. 89° 19' 19" E.	231.88
6	179 - 180	S. 00° 00' 00" W.	113.59
7	180 - 181	S. 07° 22' 04" E.	214.29
8	181 - 182	S. 79° 05' 02" E.	1,616.70
9	182 - 183	S. 73° 44' 23" E.	264.58
10	183 - 184	S. 51° 20' 24" E.	271.07
11	184 - 185	S. 14° 02' 10" E.	130.91
12	185 - 186	S. 50° 54' 34" E.	696.91
13	186 - 187	S. 29° 51' 28" E.	2,208.51
14	187 - 188	S. 01° 23' 09" E.	656.36
15	188 - 189	S. 46° 35' 28" E.	269.51
16	189 - 190	N. 35° 02' 46" E.	159.61
17	190 - 191	S. 44° 05' 50" E.	240.90
18	191 - 192	S. 09° 39' 42" E.	247.44
19	192 - 193	N. 62° 43' 43" W.	261.65
20	193 - 194	N. 74° 00' 29" W.	258.16
21	194 - 195	S. 01° 17' 31" E.	703.97
22	195 - 196	S. 33° 48' 07" E.	724.37
23	196 - 197	S. 08° 18' 28" W.	146.91
24	197 - 198	S. 25° 30' 39" W.	215.68
25	198 - 199	S. 33° 27' 34" W.	174.12
26	199 - 200	S. 00° 00' 00" E.	98.74
27	200 - 201	S. 83° 47' 10" E.	131.77
28	201 - 202	S. 31° 18' 48" E.	139.27

1	202 - 203	S. 19° 43' 35" W.	279.48
2	203 - 204	S. 28° 41' 53" E.	286.14
3	204 - 205	S. 12° 26' 36" W.	447.53
4	205 - 206	N. 28° 03' 40" W.	461.27
5	206 - 207	N. 84° 35' 51" W.	292.73
6	207 - 208	S. 22° 10' 39" W.	243.83
7	208 - 209	S. 48° 59' 08" E.	364.68
8	209 - 210	S. 08° 19' 13" W.	177.91
9	210 - 211	S. 56° 18' 13" W.	453.11
10	211 - 212	N. 83° 46' 44" W.	212.25
11	212 - 213	S. 80° 13' 03" W.	176.57
12	213 - 214	S. 75° 02' 49" W.	119.47
13	214 - 215	S. 71° 21' 21" W.	81.88
14	215 - 216	S. 71° 43' 59" W.	216.77
15	216 - 217	S. 38° 17' 24" W.	99.70
16	217 - 218	S. 38° 17' 24" W.	128.10
17	218 - 219	S. 85° 15' 11" W.	136.51
18	219 - 220	S. 88° 12' 06" W.	118.02
19	220 - 221	S. 30° 02' 57" W.	255.62
20	221 - 222	S. 24° 25' 26" W.	239.43
21	222 - 223	S. 10° 14' 17" W.	230.67
22	223 - 224	S. 26° 01' 31" W.	194.36
23	224 - 225	S. 34° 15' 22" E.	194.87
24	225 - 226	S. 57° 27' 55" W.	219.93
25	226 - 227	S. 75° 52' 10" W.	294.92
26	227 - 228	S. 83° 21' 52" W.	281.95
27	228 - 229	N. 10° 02' 44" E.	344.68
28	229 - 230	S. 66° 53' 08" W.	290.38

1	230 - 231	N. 65° 10' 46" W.	287.08
2	231 - 232	N. 89° 20' 56" W.	286.63
3	232 - 233	N. 68° 01' 31" W.	200.19
4	233 - 234	N. 58° 05' 30" W.	203.35
5	234 - 235	N. 22° 57' 49" W.	208.70
6	235 - 236	N. 45° 38' 44" W.	204.35
7	236 - 237	N. 34° 49' 25" W.	325.88
8	237 - 238	N. 44° 29' 34" W.	260.25
9	238 - 239	N. 49° 00' 51" W.	263.19
10	239 - 240	N. 35° 40' 35" W.	156.37
11	240 - 241	N. 59° 02' 10" W.	170.92
12	241 - 1	N. 65° 50' 46" W.	1,507.47

13 the point of beginning, containing an approximate area of twelve thousand nine
 14 and twenty-nine hundredth (12,009.29) hectares, more or less, subject to actual
 15 ground survey.

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

20 SEC. 5. *Land Classification.* – All lands of the public domain within
 21 the coverage and scope of this Act shall fall under the classification of national
 22 park as provided for in the 1987 Philippine Constitution.

23 SEC. 6. *Establishment of Buffer Zones.* – Buffer zones shall be
 24 established along and adjacent to the peripheral boundaries to serve as
 25 protective layer to the area and its resources. The buffer zones shall also serve
 26 as a social fence against the entry of intruders that bring destruction or conduct
 27 activities detrimental to the park. Prescriptions for the management of buffer
 28 zones shall be included as components of the protected area management plan.

1 The DENR shall exercise the same authority over buffer zones in the same
2 manner as protected areas: *Provided, however,* That there shall be consultation
3 with the affected communities.

4 The buffer zones shall be established by the DENR, in consultation with
5 the affected communities, after conducting a thorough study on their
6 implications to the development of the park and the surrounding communities.

7 SEC. 7. *Definition of Terms.* – As used in this Act:

8 (a) *Bioprospecting* refers to any research activity or collection and
9 utilization of biological and genetic resources for purposes of applying the
10 knowledge derived therefrom solely for commercial purposes;

11 (b) *Buffer zones* refer to areas that are outside the boundaries of and
12 immediately adjacent to designated protected areas, pursuant to Section 3 of
13 this Act, that need special development control in order to avoid or minimize
14 encroachment and harm to the protected area;

15 (c) *By-products* or *derivatives* refer to any part taken or substance
16 extracted from wildlife, in raw or processed form, which include stuffed
17 animals and herbarium specimens;

18 (d) *Cave* refers to any naturally occurring void, cavity, recess or system
19 of interconnected passages beneath the surface of the earth or within a cliff or
20 ledge and which is large enough to permit an individual to enter, whether or
21 not the entrance, located either on private or public land, is naturally formed or
22 man-made. It shall include any natural pit, sinkhole or other feature which is
23 an extension of the entrance. The term also includes cave resources but not
24 any vug, mine tunnel, aqueduct or other man-made excavation;

25 (e) *Collection* or *collecting* refers to the act of gathering or harvesting
26 wildlife, its by-products or derivatives;

1 (f) *Conservation* refers to any act or acts of preservation and
2 sustainable utilization of wildlife and/or maintenance, restoration and
3 enhancement of habitat;

4 (g) *GMPS* refers to the General Management Planning Strategy, which
5 is a document that serves as a guide in the formulation of site-specific
6 development plans, including plans for the buffer zone;

7 (h) *Indigenous cultural community (ICC)* refers to a group of people
8 sharing common bonds of language, customs, traditions and other distinctive
9 cultural traits and who have, since time immemorial, occupied, possessed and
10 utilized a territory;

11 (i) *National park* refers to a tract of land of the public domain
12 classified as such pursuant to the 1987 Philippine Constitution;

13 (j) *Natural park* refers to a relatively large area not materially altered
14 by human activity where extractive resource uses are regulated and maintained
15 to protect outstanding natural and scenic areas of national or international
16 significance for scientific, educational and recreational use;

17 (k) *NIPAS Act* refers to Republic Act No. 7586, entitled “An Act
18 Providing for the Establishment and Management of National Integrated
19 Protected Areas System, Defining its Scope and Coverage, and for Other
20 Purposes”, which mandates the classification and administration of all
21 designated protected areas in order to maintain ecological processes and life
22 support systems, to preserve genetic diversity, to ensure sustainable use of
23 resources found within the protected areas and to maintain their natural
24 conditions to the greatest extent possible;

25 (l) *NPBMC* refers to the Northwest Panay Biodiversity Management
26 Council, a multisectoral body organized in 1999 and was instrumental in the
27 proclamation of the NPPNP as a protected area;

1 (m) *Peninsula* refers to a strip of land projecting into water; a narrow
2 piece of land that juts out from the mainland into a sea or lake; and

3 (n) *Protected area* refers to any identified portion of land and water set
4 aside by reason of their unique physical and biological significance, managed
5 to enhance biological diversity and protected against destructive human
6 exploitation.

7 ARTICLE II

8 MANAGEMENT, MANAGEMENT PLAN AND ZONING

9 SEC. 8. *Management of the Northwest Panay Peninsula Natural Park*
10 *(NPPNP)*. – The management and administration of the NPPNP shall be
11 vested in the Protected Area Management Board (PAMB): *Provided*, That the
12 processes and procedures in the management of zones to be established in the
13 area shall be consultative and participatory.

14 SEC. 9. *Local Government Units (LGUs)*. – As members of the
15 PAMB, the LGUs are mandated to participate in the affairs and support the
16 programs and projects of the protected area. Specific comanagement
17 strategies, through the signing of memoranda of agreement, may be adopted, at
18 the discretion of the PAMB, to strengthen and empower its partner POs,
19 NGOs, ICCs and LGUs in all management schemes and undertakings of the
20 NPPNP.

21 There shall be an integration of objectives of the NPPNP with the
22 development plans of the provinces of Aklan and Antique. The respective
23 LGUs shall ensure that local ordinances on environmental protection and
24 conservation and the allocation of funds for environmental programs are
25 consistent with this Act and the management plan.

26 SEC. 10. *The Northwest Panay Biodiversity Management Council*
27 *(NPBMC)*. – The NPBMC shall continue to serve as the coordinating body

1 among member LGUs to strengthen policy direction and heighten the
2 commitment of the communities within and bordering the NPPNP.

3 The NPBMCM shall work closely with the PAMB to reduce the pressure
4 on the NPPNP from the surrounding communities through development
5 programs and other activities geared towards the protection, conservation and
6 sustainable use of the latter's resources. The NPBMCM may provide assistance
7 to the PAMB.

8 SEC. 11. *The General Management Planning Strategy (GMPS)*. – The
9 GMPS for the NPPNP shall be prepared to provide a long-term basic
10 management framework, govern all activities and serve as guide in the
11 preparation of annual operations and budgetary requirements.

12 The GMPS shall identify the allowable uses for each zone. Its
13 preparation shall be undertaken by the PAMB under the supervision of the
14 DENR, in consultation with the different stakeholders. In addition to the
15 contributions from various technical experts on biodiversity management, the
16 PAMB shall solicit the assistance of NGOs and academic institutions in the
17 preparation of the GMPS, particularly in the areas of community-based
18 resource management and ICC concerns. The plan must be consistent with the
19 objectives of the NPPNP.

20 The GMPS shall contain information on the following:

- 21 (a) The period of applicability which shall be twenty-five (25) years
22 subject to review and modifications, whenever the PAMB deems it necessary;
23 (b) Key management issues;
24 (c) Goals and objectives of management in support of Section 2 of this
25 Act;
26 (d) Site management strategies;
27 (e) Zoning, in accordance with Section 12 of this Act;

1 (f) Management programs, to include the enforcement of laws, habitat
2 and wildlife management, ecotourism, sustainable-use management,
3 infrastructure development and maintenance, fire prevention and pest control;

4 (g) Mechanisms for the protection of the identified core zone and
5 tenured migrants;

6 (h) Sustainable and nondestructive livelihood activities;

7 (i) Regulations on the preservation and conservation of resources such
8 as permits, resource-use restrictions and the like; and

9 (j) Other information as may be deemed necessary.

10 The GMPS shall be reviewed and adopted by the PAMB and certified to
11 by the Secretary that it conforms to all laws, rules and regulations issued by the
12 DENR. The revision or modification of the GMPS shall be undertaken by the
13 Protected Area Superintendent (PASu) after consultation with and upon
14 approval by the PAMB.

15 SEC. 12. *Management Zones.* – Management zones shall be established
16 within the NPPNP, giving primary consideration to its protection and
17 conservation. Zoning shall take into account the tenorial and livelihood
18 concerns of communities to ensure the efficient protection of habitats, fragile
19 ecosystem and unique areas, without compromising the general welfare of the
20 local inhabitants.

21 The establishment and management of zones shall involve the
22 communities concerned through dialogues, consultations and land resource-use
23 mapping with the aid of geographic information system and latest technologies.
24 Such management zones shall be delineated and established on the ground with
25 the participation of communities, LGUs and other stakeholders.

26 All zones that shall be established shall be indicated on maps for control
27 point and management purposes.

ARTICLE III

INSTITUTIONAL MECHANISMS, ROLES AND FUNCTIONS OF MANAGEMENT

SEC. 13. *Institutional Mechanisms, Roles and Functions of Management.* – The PAMB shall be the highest policy-making body of the NPPNP. It shall be composed of the following:

(a) The DENR Regional Executive Director (RED) for Region VI, as chairperson and adviser on matters related to the technical aspects of protected area management;

(b) The governors of the provinces of Aklan and Antique or their duly authorized representatives, preferably the respective provincial planning and development officers (PPDO) or environment and natural resources officers;

(c) The mayors of the municipalities of Nabas, Malay and Buruanga, Province of Aklan and the municipalities of Libertad and Pandan, Province of Antique, or their duly authorized representatives;

(d) All punong barangays with territorial jurisdiction over the NPPNP, or their duly authorized representatives;

(e) Three (3) representatives from the NGOs based in the provinces of Aklan and Antique and at least seven (7) POs duly accredited by the DENR and the LGUs with tangible projects within the NPPNP at the time of their membership in the PAMB. In the absence of accredited NGOs, any environmental NGO may be appointed by the Secretary to nominate its representative as PAMB member;

(f) A representative from the ICCs residing inside the NPPNP or within its buffer zones; and

(g) A representative each from other national government agencies involved in protected area management.

Except for government officials who shall serve as *ex officio*, each PAMB member shall serve for a term of five (5) years without compensation:

1 *Provided*, That such government official remains connected with the office or
2 agency being represented. The term of office of the NGO and the PO
3 representatives in the PAMB shall be coterminous with the duration and
4 existence of the organizations' projects in the protected area. Whenever a seat
5 allotted for the NGOs becomes vacant, a new member shall be chosen in the
6 same manner as the original selection process: *Provided, further*, That the
7 substitute shall only serve for the remaining term of the predecessor. In the
8 case of elective government officials, their membership in the PAMB shall be
9 coterminous with their respective terms of office.

10 The PAMB *en banc* shall hold a regular meeting at least twice a year. A
11 quorum shall consist of a simple majority of the members. The chairperson
12 may call for a special meeting as deemed necessary.

13 The members of the PAMB shall be entitled to reimbursement of actual
14 traveling and subsistence expenses incurred in attending the meetings of the
15 PAMB or its committees, subject to existing accounting and budgeting rules
16 and regulations. These expenses shall be included in the annual budgetary
17 allocation for the NPPNP.

18 SEC. 14. *Functions of the PAMB.* – The PAMB shall decide by a
19 majority vote and shall have the following powers and functions:

20 (a) Formulate rules and regulations pertaining to activities that are
21 prejudicial to the NPPNP;

22 (b) Issue necessary permits for all activities in accordance with the
23 management plan and pertinent laws and regulations on forest resources and
24 environmental protection;

25 (c) Decide on matters relating to planning, resource protection and
26 general administration in accordance with the GMPS;

27 (d) Approve proposals, work plans, action plans and guidelines for
28 management in accordance with the approved management plan;

1 (e) Promulgate rules and regulations to promote development programs
2 and projects on biodiversity conservation and sustainable development
3 consistent with the management manual;

4 (f) Ensure the implementation of programs, as prescribed in the
5 management plan, in order to provide employment to the people dwelling in
6 and around the NPPNP;

7 (g) Control and regulate the construction, operation and maintenance of
8 roads, waterworks, sewerage, fire protection, sanitation systems and other
9 public utilities;

10 (h) Monitor and evaluate the performance of personnel, NGOs and the
11 communities in contributing to biodiversity conservation and sociocultural and
12 economic development, and report its assessment to the NIPAS Policy and
13 Program Steering Committee and the Integrated Protected Areas Fund (IPAF)
14 governing board;

15 (i) Deputize, through the PASu, interested individuals for the
16 enforcement of laws, rules and regulations and prescribe the necessary
17 qualification standards for individuals or groups applying for deputation;

18 (j) Accept donations, approve proposals for funding and budget
19 allocation, and exercise accountability over all funds that may accrue to the
20 NPPNP; and

21 (k) Create committees that may be needed for the effective
22 implementation of programs and projects.

23 The DENR, through the RED for Region VI, shall ensure that the
24 PAMB exercises authority within the scope of its powers and functions. In case
25 of conflict between issuances of the DENR pursuant to the NIPAS Act and the
26 rules and regulations or resolutions of the PAMB, the Secretary shall decide
27 whether to apply the rule or withdraw its application in the NPPNP.

1 SEC. 15. *The Protected Area Superintendent (PASu) Office.* – There
2 is hereby established a PASu office in charge of the management, protection
3 and administration of the NPPNP. It shall be headed by a Protected Area
4 Superintendent (PASu), who shall be the chief operating officer of the NPPNP
5 and shall be accountable to the RED of the DENR Region VI and the PAMB.
6 The PASu shall be supported by the existing personnel of the DENR.

7 The PASu shall have the following powers and functions:

8 (a) Prepare and recommend to the PAMB the approval of the annual
9 work and financial plans;

10 (b) Develop a management information system to ensure that relevant
11 and updated information are available for planning, monitoring and
12 decision-making;

13 (c) Collect and/or receive pertinent fees, donations and other income
14 for the protected area;

15 (d) Initiate the preparation of the GMPS in coordination with other
16 government offices and sectors;

17 (e) Serve as head of the secretariat for the PAMB;

18 (f) Establish a productive partnership with the local community and
19 stakeholders, including groups who are interested in attaining the goals and
20 objectives of the NPPNP;

21 (g) Formulate and implement park information, education,
22 communication and visitor programs;

23 (h) Enforce laws, rules and regulations pursuant to existing
24 environmental laws and DENR orders to protect and preserve the NPPNP from
25 trespass, damage, injury and illegal occupancy;

26 (i) Certify whether a proposed activity or project is allowable or not
27 within the management zones;

1 SEC. 17. *Tenured Migrants.* -- Tenured migrants are households that
2 have actually and continuously occupied the NPPNP before April 25, 1997 and
3 are solely dependent on the area for their livelihood. A tenured migrant shall
4 be issued a tenurial instrument on the areas they have been occupying or
5 cultivating, not to exceed a maximum of five (5) hectares per household. In
6 consideration of current practices in areas occupied by tenured migrants,
7 especially in strict protection zones where no occupation or other activities are
8 allowed, a provision for their transfer to sustainable-use zones shall be
9 accomplished through just and humane means.

10 To effectively provide a social fence to the NPPNP, a tenurial
11 instrument to be issued pursuant to this Act must be limited solely to the
12 sustainable-use zones in accordance with the general management plans and
13 strategies. The tenurial instruments or the rights and interests arising out of
14 such instruments shall not be transferred, sold, leased or used as collateral for a
15 loan; otherwise, it shall be void. The said rights can be transferred only to
16 direct descendants.

17 A tenurial instrument shall cover a period of twenty-five (25) years,
18 renewable for another twenty-five (25) years based on the performance
19 evaluation and compliance with the terms and conditions stipulated in the said
20 instrument.

21 Any violation of the terms and conditions of the tenurial instrument or
22 any provision of this Act or abandonment by a tenured migrant shall constitute
23 a sufficient ground for the cancellation of the tenurial instrument.

24 Upon cancellation of a tenured migrant instrument for cause or by
25 voluntary surrender of rights, the PAMB shall take immediate steps or
26 strategies to develop, rehabilitate and maintain the area for protection,
27 conservation and sustainable use.

ARTICLE V

ILLEGAL ACTS

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3 SEC. 18. *Prohibited Acts.* – The following shall be the prohibitions
4 and penalties within the NPPNP;

5 (a) A fine of not less than Five thousand pesos (P5,000.00) but not
6 more than Five hundred thousand pesos (P500,000.00) or imprisonment of not
7 less than six (6) years and one (1) day but not more than twelve (12) years, or
8 both, at the discretion of the court shall be imposed upon any person who:

9 (1) Hunts, collects, destroys, traps, disturbs or possesses anywhere
10 within the NPPNP any wild plant or animal or product derived therefrom
11 without a prior PAMB permit;

12 (2) Possesses, without a permit from the PAMB, any wild plant or
13 animal or product derived from such wild plant or animal within the NPPNP or
14 in any of its management zones where the species is not endemic;

15 (3) Cuts, gathers, collects or removes timber or other forest products,
16 as well as undertakes any activity not compatible with the use of the respective
17 zones within the NPPNP without a prior PAMB permit: *Provided*, That any
18 permit issued shall be valid for only one (1) month from the date of issue either
19 to tenured migrants within sustainable, monitored and controlled quotas or for
20 scientific purposes in accordance with existing guidelines and outside the strict
21 protection zones;

22 (4) Establishes or introduces exotic species that have allelopathic or
23 detrimental effect to endemic species without a prior PAMB permit; or

24 (5) Engages in kaingin or slash-and-burn farming or any activity that
25 causes forest fire.

26 (b) A fine of not less than Five thousand pesos (P5,000.00) but not
27 more than Two hundred fifty thousand pesos (P250,000.00) or imprisonment
28 of not less than six (6) months but not more than six (6) years, or both, at the

1 discretion of the court, and the restoration and rehabilitation of the damage
2 resulting from violations shall be imposed upon any person who:

3 (1) Violates the management plan or any resolution issued by the
4 PAMB;

5 (2) Vandalizes, mutilates, transports, destroys, excavates or in any
6 manner intentionally damage any natural formation or object of natural beauty
7 inside the protected area, or the burial or religious sites including artifacts and
8 other objects belonging to the ICCs/IPs;

9 (3) Dumps, burns or otherwise disposes of any substance deleterious
10 to the ecosystem, plants and animals or human inhabitants or committing the
11 same in the buffer and multiple-use areas without appropriate authority or
12 permit;

13 (4) Uses or possesses a motorized equipment anywhere within the
14 strict protection zone without a prior permit from the PAMB;

15 (5) Uses or possesses chainsaws and band saws without a prior PAMB
16 permit: *Provided*, That permits may only be issued for use within the
17 multiple-use zones;

18 (6) Engages in grazing or raising of poultry and other livestock for
19 commercial purpose: *Provided*, That existing grazing or poultry and other
20 livestock farms shall be phased out within five (5) years after the effectivity of
21 this Act;

22 (7) Causes damage or leaves roads and trails in damaged condition;

23 (8) Occupies any tract of land without a prior PAMB permit. Any
24 clearing, construction of residence or introduction of improvements shall
25 constitute *prima facie* evidence of occupation or settlement;

26 (9) Alters, removes, destroys or defaces boundaries, marks or signs;

27 (10) Constructs and maintains a building, edifice or any kind of
28 structure or conducts any business enterprise without a prior PAMB permit;

1 (11) Enters the NPPNP without a prior PAMB permit for purposes of
2 bird watching, swimming, trekking, filming, camping, spelunking or caving
3 and other similar activities;

4 (12) Conducts bioprospecting, research work or any study without a
5 prior PAMB permit or in violation of existing guidelines; or

6 (13) Engages in treasure hunting.

7 (c) A fine of not less than One hundred thousand pesos (P100,000.00)
8 but not more than Five hundred thousand pesos (P500,000.00) or
9 imprisonment of not less than six (6) months but not more than six (6) years, or
10 both, at the discretion of the court shall be imposed upon any public officer or
11 law enforcement officer, who, in dereliction of the duties of his office, shall
12 maliciously refrain from instituting proper action for the punishment of
13 violators of the law or shall tolerate the commission of offenses. A conviction
14 of this offense shall also carry the penalty of perpetual disqualification from
15 public office;

16 (d) In case the species involved in the violations enumerated under
17 Section 18(a) of this Act are protected species, the penalty to be imposed shall
18 not be less than twelve (12) years and one (1) day but not more than twenty
19 (20) years and a fine of not less than Five hundred thousand pesos
20 (P500,000.00) to One million pesos (P1,000,000.00) in addition to the
21 accessory penalties provided in the immediately succeeding paragraph.
22 Furthermore, any citizen may institute the necessary charge against the
23 offender for the commission of the acts enumerated under Section 18(a) of this
24 Act involving protected species;

25 (e) A conviction under this section shall likewise carry the penalty of
26 eviction from the NPPNP, payment of damages for the rehabilitation and
27 restoration and the forfeiture of all equipment, devices and weapons used in the
28 commission of the offense as well as the resources caught in the possession of

1 the accused. In case the offender is not a citizen of the Philippines, the person
2 shall be immediately deported to the person's country of origin after service of
3 the sentence. If the offender is an association or a corporation, the president or
4 manager shall be directly responsible for the acts of the employees and
5 laborers;

6 (f) The PASu or the duly deputized personnel may arrest even without
7 a warrant any person who has committed or is committing in one's presence
8 any of the offenses as defined in this section. The PASu may also seize and
9 confiscate in favor of the government the tools and equipment used in
10 committing the offenses and the resources caught in the possession of the
11 offender and file the necessary charges therefore: *Provided*, That the DENR
12 may impose administrative fines and penalties in accordance with law; and

13 (g) In case of conviction, the penalty consisting of fines and damages
14 shall directly accrue to the IPAF for the protected area.

15 SEC. 19. *Special Prosecutor.* – Within thirty (30) days from the
16 effectivity of this Act, the Department of Justice shall designate a special
17 prosecutor to whom all cases of violation of laws, rules and regulations in the
18 NPPNP shall be assigned. Such special prosecutor shall coordinate with the
19 PAMB and the PASu in the performance of one's duties and assist in the
20 training of wardens and rangers in arrest and criminal procedures.

21 ARTICLE VI

22 PROCEEDS AND FEES

23 SEC. 20. *The Northwest Panay Peninsula Natural Park Protected*
24 *Area Fund.* -- There is hereby established a trust fund to be known as the
25 Northwest Panay Peninsula Natural Park Protected Area Fund. All incomes
26 generated from the operation of the protected area or the management of wild
27 flora and fauna in the NPPNP shall accrue to the Fund. These income shall be
28 derived from fees from permitted sale and export of flora and fauna and other

1 resources from the NPPNP, proceeds from lease of multiple-use areas,
2 contributions from industries and facilities directly benefiting from the NPPNP
3 and such other fees and income derived from the operation of the NPPNP:
4 *Provided*, That the Fund shall be subject to the retention by the PAMB of
5 seventy-five percent (75%) of all revenues raised therefrom and deposited in
6 any government bank within the locality where the protected area is located,
7 and that disbursements shall be made solely for the protection, maintenance,
8 administration and management of the area and implementation of duly
9 approved projects endorsed by the PAMB in accordance with existing
10 accounting, budgeting and auditing rules and regulations: *Provided, further*,
11 That twenty-five percent (25%) of the revenues shall be deposited as a special
12 account in the National Treasury: *Provided, finally*, That the Fund shall not be
13 used to cover personal services expenditures.

14 The Fund may be augmented by grants, donations, endowment from
15 various sources, domestic or foreign. The LGUs shall continue to impose and
16 collect all other fees not enumerated herein which they have traditionally
17 collected, such as business permits, property tax and rentals of LGUs'
18 facilities. Furthermore, the LGUs may charge add-ons to fees imposed by the
19 PAMB: *Provided*, That such add-ons shall be determined based on the
20 contribution of the LGUs in the maintenance and protection of the NPPNP.

21 ARTICLE VII

22 EXISTING FACILITIES

23 SEC. 21. *Existing Facilities.* – Within ninety (90) days from the
24 effectivity of this Act, the PAMB shall be organized and a PASu shall be
25 appointed who, within the same period, shall make an inventory of existing
26 facilities within the boundaries of the NPPNP and submit the said inventory to
27 the PAMB through a sworn statement containing the following information:

1 Commercial utilization of resources by tenured migrants and the ICCs
2 shall be allowed only upon prior PAMB approval and in accordance with the
3 GMPS. Commercial exploitation and utilization of water resources and other
4 permitted resources and establishment or installation of infrastructure such as,
5 but not limited to, access roads, telecommunication facilities, etc., within the
6 NPPNP shall require PAMB approval: *Provided*, That these are not in conflict
7 with the GMPS and shall undergo the EIS System.

8 The utilization of non-tangible resources such as, but not limited to,
9 aesthetic value, filming, camping and trekking areas, caving adventures,
10 researches on flora and fauna, and other related activities shall require the
11 approval of the PAMB pursuant to a corresponding permitting system to be
12 adopted. The PAMB shall establish a mechanism that would streamline the
13 processing of these permits in order to promote its viability to enhance
14 collection.

15 A permanent office, strategically situated within the NPPNP, shall be
16 established for this purpose, where the PASu or his duly authorized
17 representative can judiciously act on requests from respective parties with
18 authority from the PAMB.

19 ARTICLE IX

20 TRANSITORY AND MISCELLANEOUS PROVISIONS

21 SEC. 23. *Appropriations.* – The Secretary of the DENR shall
22 immediately include in the Department’s program the implementation of this
23 Act, the funding of which shall be included in the annual General
24 Appropriations Act.

25 SEC. 24. *Applicability.* – The provisions of this Act shall be construed
26 liberally in favor of tenured migrants and the ICCs, with due consideration to
27 the protection of biodiversity. The NIPAS Act shall supplement the
28 implementation of this Act.

1 SEC. 25. *Transitory Provisions.* – A new PAMB shall be convened
2 and created within three (3) months from the effectivity of this Act. During the
3 same period, the DENR, in coordination with the PAMB, the Committee on
4 Natural Resources of the House of Representatives, the Senate Committee on
5 Environment and Natural Resources and the concerned Congressional District
6 Representatives, shall undertake the preparation of the implementing rules and
7 regulations of this Act.

8 SEC. 26. *Separability Clause.* – If any part or provision of this Act is
9 declared unconstitutional, such declaration shall not affect the other parts or
10 provisions hereof.

11 SEC. 27. *Repealing Clause.* – All laws, proclamations, rules and
12 regulations inconsistent with this Act are hereby repealed or modified
13 accordingly.

14 SEC. 28. *Effectivity.* – This Act shall take effect fifteen (15) days after
15 its publication in the *Official Gazette* or in two (2) newspapers of general
16 circulation readily available in and around the area specified herein. It shall
17 likewise be posted in a conspicuous place at the municipal halls of Nabas,
18 Malay and Buruanga, Province of Aklan and municipal halls of Libertad and
19 Pandan, Province of Antique and in the barangay halls concerned where the
20 protected area is located and in other places frequented by the public.

Approved,

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