



HOUSE OF REPRESENTATIVES

H. No. 6394

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BY REPRESENTATIVES GONZALEZ, TY, NOGRALES (K.A.), CUA, DALIPE AND  
NIETO, PER COMMITTEE REPORT NO. 379

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AN ACT DECLARING THE MAYON VOLCANO NATURAL PARK IN  
THE PROVINCE OF ALBAY AS A PROTECTED AREA AND  
PROVIDING FOR ITS MANAGEMENT

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

ARTICLE I

TITLE, POLICIES, OBJECTIVES, AND JURISDICTION

1 SECTION 1. *Short Title.* – This Act shall be known as the “Mayon  
2 Volcano Natural Park (MVNP) Act”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the  
4 State to ensure the protection and conservation of the Mayon Volcano as a  
5 protected area in order to preserve its biological diversity, the uniqueness of its  
6 landscape and its sociocultural and economic significance to the people of the  
7 Province of Albay.

8 SEC. 3. *Definition of Terms.* – As used in this Act:

9 (a) *Bioprospecting* refers to the research, collection and utilization of  
10 biological and genetic resources for the purpose of applying the knowledge  
11 derived therefrom for commercial and academic purposes;

1 (b) *Buffer zones* refer to the identified areas outside the boundaries of  
2 and immediately adjacent to the MVNP pursuant to Section 7 hereof that  
3 needs special development control in order to avoid or minimize harm to the  
4 natural park;

5 (c) *By-products or derivatives* refer to any part or substance extracted  
6 from wildlife, in raw or in processed form. These include stuffed animals and  
7 herbarium specimens;

8 (d) *Collection or collecting* refers to the act of gathering or harvesting  
9 wildlife, its by-products or derivatives;

10 (e) *Exploitation* refers to any mode of use, extraction, development,  
11 utilization or disposition of resources, for whatever purpose whether  
12 commercial or otherwise;

13 (f) *Exotic species* refers to the species or subspecies that do not  
14 naturally occur within the MVNP at present or in historical time. It shall  
15 include the Genetically Modified Organisms (GMOs);

16 (g) *Free and Prior Informed Consent (FPIC)* refers to the consensus of  
17 all members of the MVNP Management Board/Indigenous Cultural  
18 Communities (ICCs)/Indigenous Peoples (IPs) to be determined in accordance  
19 with their customary laws and practices, free from any external manipulation,  
20 interference and coercion and obtained after fully disclosing the intent and  
21 scope of an activity, in a language and process understandable to the  
22 community;

23 (h) *General Management Plan* refers to the basic long-term framework  
24 plan in the management of the protected area that shall serve as guide in the  
25 preparation of the annual plan and budget;

26 (i) *General Management Planning Strategy* refers to the guide in the  
27 formulation of the site-specific management plans, including buffer zones; and

28 (j) *Littering* refers to the disposal of small amounts of  
29 nonbiodegradable solid waste materials such as cigarette butts, candy  
30 wrappers, plastic bags, bottles, and glasses in the MVNP which cause or  
31 contribute to the deterioration of the resources or habitats in the MVNP.

1           SEC. 4. *Declaration of the Mayon Volcano Natural Park (MVNP).* –  
 2 The MVNP, located in the cities of Tabaco, Legazpi and Ligao and in the  
 3 municipalities of Malilipot, Sto. Domingo, Daraga, Camalig and Guinobatan,  
 4 Albay, Island of Luzon, is hereby declared a protected area under the category  
 5 of natural park, and is more particularly described as follows:

6           Beginning at a point marked "1" on the Map, being N 37°22'04" W,  
 7 193.238 meters from PRS '92 Control Monument "ABY-53" with  
 8 geographic coordinates of 13°13'40.5181" N and 123°43'56.2215" E located  
 9 at Barangay Padang, Santo Domingo, Albay.

10	thence	S 34°59'59" W	628.62	meters to corner	2;
11	thence	S 88°59'59" W	900	meters to corner	3;
12	thence	S 83°0'0" W	1860	meters to corner	4;
13	thence	S 86°59'59" W	840	meters to corner	5;
14	thence	N 85°18'20" W	1045.95	meters to corner	6;
15	thence	N 43°5'12" W	1019.9	meters to corner	7;
16	thence	N 87°56'39" W	1539.66	meters to corner	8;
17	thence	N 4°50'31" W	152.66	meters to corner	9;
18	thence	N 45°32'36" W	1016.65	meters to corner	10;
19	thence	N 76°38'39" W	159.83	meters to corner	11;
20	thence	N 86°15'37" W	813.77	meters to corner	12;
21	thence	N 61°59'13" E	1166.29	meters to corner	13;
22	thence	N 16°47'54" E	18.31	meters to corner	14;
23	thence	N 44°26'36" W	24.09	meters to corner	15;
24	thence	S 67°35'2" W	204.06	meters to corner	16;
25	thence	S 74°47'0" W	161.15	meters to corner	17;
26	thence	S 64°7'59" W	236.56	meters to corner	18;
27	thence	S 56°37'59" W	265.71	meters to corner	19;
28	thence	S 80°2'0" W	112.4	meters to corner	20;
29	thence	S 83°9'59" W	57.01	meters to corner	21;
30	thence	S 67°2'0" W	104.24	meters to corner	22;

1	thence	N 35°22'0" E	46.82	meters to corner 23;
2	thence	N 61°8'59" E	104.48	meters to corner 24;
3	thence	N 9°20'0" W	21.33	meters to corner 25;
4	thence	N 49°30'0" E	474.27	meters to corner 26;
5	thence	N 33°38'59" W	52.46	meters to corner 27;
6	thence	N 35°18'0" E	39.47	meters to corner 28;
7	thence	N 52°45'59" E	23.17	meters to corner 29;
8	thence	N 3°20'59" E	25.82	meters to corner 30;
9	thence	S 62°32'59" E	149.88	meters to corner 31;
10	thence	N 68°0'59" E	49.56	meters to corner 32;
11	thence	N 60°8'0" E	214.01	meters to corner 33;
12	thence	S 80°58'49" E	50.63	meters to corner 34;
13	thence	N 39°10'36" E	237.61	meters to corner 35;
14	thence	N 29°43'0" W	23.7	meters to corner 36;
15	thence	N 88°20'59" W	110.6	meters to corner 37;
16	thence	S 52°0'59" W	73.71	meters to corner 38;
17	thence	N 68°40'0" W	126.31	meters to corner 39;
18	thence	N 9°33'59" W	44.84	meters to corner 40;
19	thence	N 39°50'59" W	76.99	meters to corner 41;
20	thence	N 67°9'0" E	27.9	meters to corner 42;
21	thence	N 34°21'58" E	16.97	meters to corner 43;
22	thence	N 32°51'59" W	52.62	meters to corner 44;
23	thence	S 71°48'10" W	133.58	meters to corner 45;
24	thence	S 61°32'24" W	127.86	meters to corner 46;
25	thence	N 54°42'13" W	21.18	meters to corner 47;
26	thence	N 31°40'40" W	19.63	meters to corner 48;
27	thence	N 55°59'0" W	59.81	meters to corner 49;
28	thence	S 75°25'0" W	251.4	meters to corner 50;
29	thence	N 47°14'0" W	25.4	meters to corner 51;
30	thence	N 40°29'0" W	22.42	meters to corner 52;

1	thence	N 84°30'0" W	49.29	meters to corner	53;
2	thence	N 61°17'59" W	56.01	meters to corner	54;
3	thence	N 45°49'0" W	106.23	meters to corner	55;
4	thence	N 43°31'59" W	43.97	meters to corner	56;
5	thence	S 77°37'0" W	64.5	meters to corner	57;
6	thence	N 9°24'0" W	81.55	meters to corner	58;
7	thence	N 46°57'59" W	90.24	meters to corner	59;
8	thence	N 20°18'0" W	80.79	meters to corner	60;
9	thence	N 77°15'1" E	30.42	meters to corner	61;
10	thence	S 77°26'0" E	111.12	meters to corner	62;
11	thence	S 80°41'0" E	103.8	meters to corner	63;
12	thence	N 59°19'59" E	64.56	meters to corner	64;
13	thence	N 84°53'0" E	206.43	meters to corner	65;
14	thence	N 29°20'59" W	129.02	meters to corner	66;
15	thence	N 40°8'0" E	12.6	meters to corner	67;
16	thence	N 53°11'0" E	50.34	meters to corner	68;
17	thence	N 1°30'59" W	21.23	meters to corner	69;
18	thence	S 60°44'0" E	92.62	meters to corner	70;
19	thence	N 72°0'59" E	150.61	meters to corner	71;
20	thence	N 21°13'0" W	124.34	meters to corner	72;
21	thence	N 49°10'59" W	273.48	meters to corner	73;
22	thence	N 13°53'2" W	18.08	meters to corner	74;
23	thence	N 84°57'0" W	496.02	meters to corner	75;
24	thence	N 80°47'0" W	88.03	meters to corner	76;
25	thence	N 59°10'55" E	11.4	meters to corner	77;
26	thence	N 10°8'59" E	41.68	meters to corner	78;
27	thence	N 84°54'59" E	108.05	meters to corner	79;
28	thence	N 77°4'2" E	366.19	meters to corner	80;
29	thence	N 68°52'27" E	171.27	meters to corner	81;
30	thence	N 78°33'51" E	230.85	meters to corner	82;



1	thence	N 52°17'1" E	88.97	meters to corner	83;
2	thence	N 20°56'44" W	40.02	meters to corner	84;
3	thence	S 71°24'46" W	78.15	meters to corner	85;
4	thence	S 67°24'21" W	106.72	meters to corner	86;
5	thence	N 57°54'59" W	291.73	meters to corner	87;
6	thence	N 39°40'0" W	172.18	meters to corner	88;
7	thence	N 53°4'59" W	36.64	meters to corner	89;
8	thence	N 49°35'0" W	310.75	meters to corner	90;
9	thence	N 11°53'0" W	51.36	meters to corner	91;
10	thence	N 46°17'0" E	44.36	meters to corner	92;
11	thence	S 53°26'59" E	58.38	meters to corner	93;
12	thence	S 42°55'0" E	175.36	meters to corner	94;
13	thence	S 54°14'0" E	118.25	meters to corner	95;
14	thence	S 72°36'59" E	113.35	meters to corner	96;
15	thence	N 53°38'0" E	80.46	meters to corner	97;
16	thence	N 86°58'0" E	205.15	meters to corner	98;
17	thence	N 43°17'59" E	13.34	meters to corner	99;
18	thence	N 13°32'59" W	55.5	meters to corner	100;
19	thence	N 0°28'59" W	25.23	meters to corner	101;
20	thence	N 52°45'52" W	423.73	meters to corner	102;
21	thence	N 73°35'30" W	83.21	meters to corner	103;
22	thence	N 41°12'59" W	101.34	meters to corner	104;
23	thence	N 77°2'59" E	52.84	meters to corner	105;
24	thence	N 17°27'59" E	227.43	meters to corner	106;
25	thence	N 63°35'9" W	279.48	meters to corner	107;
26	thence	N 7°35'40" W	80.08	meters to corner	108;
27	thence	S 72°57'43" E	68.63	meters to corner	109;
28	thence	S 69°35'35" E	427.97	meters to corner	110;
29	thence	S 70°49'16" E	25.77	meters to corner	111;
30	thence	N 54°36'11" E	86.85	meters to corner	112;

1	thence	S 82°19'59" E	29.77	meters to corner	113;
2	thence	N 80°9'59" E	30.25	meters to corner	114;
3	thence	N 78°28'0" E	57.51	meters to corner	115;
4	thence	N 88°42'59" E	37.02	meters to corner	116;
5	thence	N 53°33'59" E	27.58	meters to corner	117;
6	thence	N 88°36'0" E	110.03	meters to corner	118;
7	thence	N 70°31'59" E	100.92	meters to corner	119;
8	thence	N 34°15'59" E	36.43	meters to corner	120;
9	thence	N 77°0'0" E	40.38	meters to corner	121;
10	thence	N 5°16'3" E	9.14	meters to corner	122;
11	thence	N 12°27'59" E	51.8	meters to corner	123;
12	thence	N 5°34'9" W	12.27	meters to corner	124;
13	thence	N 5°21'0" W	14.78	meters to corner	125;
14	thence	N 1°38'0" W	116.16	meters to corner	126;
15	thence	S 79°5'59" E	208.06	meters to corner	127;
16	thence	N 58°45'0" E	140.62	meters to corner	128;
17	thence	N 43°40'59" E	60.19	meters to corner	129;
18	thence	N 20°34'0" E	146.46	meters to corner	130;
19	thence	N 68°25'0" W	356.6	meters to corner	131;
20	thence	N 34°25'59" E	157.76	meters to corner	132;
21	thence	N 66°23'1" E	18.37	meters to corner	133;
22	thence	N 22°31'0" W	112.01	meters to corner	134;
23	thence	N 38°57'59" W	32.98	meters to corner	135;
24	thence	N 4°46'59" E	41.07	meters to corner	136;
25	thence	N 21°56'0" W	74.98	meters to corner	137;
26	thence	N 78°29'59" W	56.8	meters to corner	138;
27	thence	N 24°41'0" W	218.67	meters to corner	139;
28	thence	N 49°46'0" W	120.31	meters to corner	140;
29	thence	S 74°29'0" E	172.52	meters to corner	141;
30	thence	N 84°48'1" E	14.56	meters to corner	142;

1	thence	S 69°20'0" E	425.68	meters to corner	143;
2	thence	N 89°30'0" E	218.38	meters to corner	144;
3	thence	N 7°59'59" W	55.17	meters to corner	145;
4	thence	S 58°36'0" E	21.19	meters to corner	146;
5	thence	S 40°48'0" E	24.61	meters to corner	147;
6	thence	N 23°53'1" E	20	meters to corner	148;
7	thence	N 55°59'59" E	30.48	meters to corner	149;
8	thence	N 43°49'0" E	303.83	meters to corner	150;
9	thence	N 9°29'59" E	79.46	meters to corner	151;
10	thence	N 4°26'0" W	61.32	meters to corner	152;
11	thence	N 31°4'48" E	359.09	meters to corner	153;
12	thence	N 41°10'48" E	115.61	meters to corner	154;
13	thence	N 83°32'58" E	42.28	meters to corner	155;
14	thence	N 46°21'24" E	145.59	meters to corner	156;
15	thence	S 25°55'59" E	80.97	meters to corner	157;
16	thence	S 32°13'59" E	72.64	meters to corner	158;
17	thence	N 54°27'59" E	43.34	meters to corner	159;
18	thence	N 55°35'59" E	320.26	meters to corner	160;
19	thence	N 76°15'59" E	69.75	meters to corner	161;
20	thence	N 60°5'59" E	51.25	meters to corner	162;
21	thence	N 44°57'0" E	385.3	meters to corner	163;
22	thence	S 10°52'0" E	153.54	meters to corner	164;
23	thence	S 72°49'0" E	32.62	meters to corner	165;
24	thence	N 72°54'0" E	45.29	meters to corner	166;
25	thence	N 78°25'58" E	25.03	meters to corner	167;
26	thence	S 55°57'59" E	150.21	meters to corner	168;
27	thence	N 76°24'59" E	70.93	meters to corner	169;
28	thence	N 89°42'0" E	81.39	meters to corner	170;
29	thence	S 48°22'59" E	136.53	meters to corner	171;
30	thence	S 57°4'59" E	27.98	meters to corner	172;



1	thence	N 66°51'0" E	62	meters to corner	173;
2	thence	S 49°50'0" E	47.8	meters to corner	174;
3	thence	S 46°32'59" E	80.97	meters to corner	175;
4	thence	N 45°49'0" E	670.26	meters to corner	176;
5	thence	N 69°53'59" E	114.4	meters to corner	177;
6	thence	S 81°21'57" E	9.59	meters to corner	178;
7	thence	S 80°48'0" E	81.14	meters to corner	179;
8	thence	S 26°6'59" E	615.12	meters to corner	180;
9	thence	S 22°4'59" W	92.72	meters to corner	181;
10	thence	S 53°40'0" E	159	meters to corner	182;
11	thence	N 88°27'15" E	86.33	meters to corner	183;
12	thence	N 75°50'0" E	65.07	meters to corner	184;
13	thence	N 25°6'50" E	357.53	meters to corner	185;
14	thence	N 11°32'53" E	45.61	meters to corner	186;
15	thence	N 78°41'24" E	32.04	meters to corner	187;
16	thence	N 73°18'2" E	31.08	meters to corner	188;
17	thence	N 89°14'46" E	25.14	meters to corner	189;
18	thence	N 54°58'7" E	58	meters to corner	190;
19	thence	N 14°50'43" E	113.59	meters to corner	191;
20	thence	N 14°54'43" E	204.48	meters to corner	192;
21	thence	S 40°44'29" E	51.48	meters to corner	193;
22	thence	N 74°30'30" E	418.99	meters to corner	194;
23	thence	S 88°9'29" E	395.71	meters to corner	195;
24	thence	S 28°4'21" E	194.57	meters to corner	196;
25	thence	S 6°5'41" W	377.29	meters to corner	197;
26	thence	S 57°58'10" W	462.78	meters to corner	198;
27	thence	S 52°6'16" E	312.64	meters to corner	199;
28	thence	S 3°42'38" E	304.58	meters to corner	200;
29	thence	S 43°41'44" E	256.8	meters to corner	201;
30	thence	S 57°49'2" E	174.3	meters to corner	202;

1	thence	S 25°52'36" W	189.4	meters to corner	203;
2	thence	S 23°34'13" W	141.52	meters to corner	204;
3	thence	S 49°23'55" W	234.49	meters to corner	205;
4	thence	S 5°23'51" E	162.23	meters to corner	206;
5	thence	S 80°24'46" E	335.98	meters to corner	207;
6	thence	S 37°11'5" E	138.87	meters to corner	208;
7	thence	S 26°24'39" E	211.57	meters to corner	209;
8	thence	S 51°14'59" W	251.94	meters to corner	210;
9	thence	S 52°57'27" E	168.89	meters to corner	211;
10	thence	S 71°18'17" E	265.83	meters to corner	212;
11	thence	S 70°28'10" E	178.79	meters to corner	213;
12	thence	S 6°45'32" W	172.88	meters to corner	214;
13	thence	S 36°11'13" E	234.78	meters to corner	215;
14	thence	S 37°19'11" E	259.06	meters to corner	216;
15	thence	S 88°21'48" E	267.17	meters to corner	217;
16	thence	S 15°36'3" E	203.34	meters to corner	218;
17	thence	S 8°59'6" E	150.64	meters to corner	219;
18	thence	S 66°20'37" E	773.33	meters to corner	220;
19	thence	N 80°55'8" E	314.24	meters to corner	221;
20	thence	N 51°42'35" E	215.5	meters to corner	222;
21	thence	N 89°42'51" E	254.98	meters to corner	223;
22	thence	S 79°16'9" E	529.13	meters to corner	224;
23	thence	S 83°23'29" E	634.44	meters to corner	225;
24	thence	S 78°54'3" E	959.42	meters to corner	226;
25	thence	S 49°10'44" W	579.24	meters to corner	227;
26	thence	S 32°59'59" E	532.67	meters to corner	228;
27	thence	S 23°0'0" E	575	meters to corner	229;
28	thence	S 3°31'33" W	417.11	meters to corner	230;
29	thence	S 53°17'31" W	786.13	meters to corner	231;
30	thence	S 31°46'57" W	304.81	meters to corner	232;

1       thence       S 31°46'57" W   171.42       meters to corner 233;  
 2       thence       S 76°2'44" W    706.76       meters to corner 234;  
 3       thence       N 71°39'46" W   490.63       meters to corner 1,  
 4 the point of beginning containing an area of five thousand three hundred  
 5 twenty-seven and 15/100 (5,327.15) hectares.

6       All lands of the public domain comprising the MVNP and its buffer  
 7 zones shall fall under the classification of natural park as provided for in the  
 8 Constitution.

9       SEC. 5. *Establishment of the Protected Area Management Board*  
 10 (*PAMB*). – The PAMB is hereby created and shall be composed of the  
 11 following:

12       (a) Department of Environment and Natural Resources (DENR)  
 13 Regional Director (RD) of Region V as Chairperson;

14       (b) The Governor of Albay as Vice Chairperson and the Provincial  
 15 Planning and Development Officer as the alternate;

16       (c) The Municipal/City Mayor of the municipality/city with territory  
 17 within the MVNP;

18       (d) The Barangay Captain with territory within the MVNP;

19       (e) At least seven (7) representatives from nongovernment  
 20 organizations (NGOs)/people's organizations (POs) and community-based  
 21 organizations involved in the preservation of the protected area and in  
 22 conservation initiatives in their areas of operations;

23       (f) One (1) representative from each department or national  
 24 government agency involved in protected area management specifically the  
 25 Department of Agriculture (DA), the Department of Agrarian Reform (DAR),  
 26 the Department of Tourism (DOT), the Department of Public Works and  
 27 Highways (DPWH), and the Department of Science and Technology (DOST);

28       (g) One (1) representative from the academe; and

29       (h) For continuity of business and proper representation in the PAMB,  
 30 a permanent alternate shall be appointed by each entity member who shall  
 31 represent the principal when the latter is not available.

1           The administration of the MVNP shall be vested with the PAMB. In  
2 addition to the powers and functions as enumerated in the National Integrated  
3 Protected Areas System or the NIPAS Act of 1992, the PAMB shall:

4           (1) Impose and collect resource user's fees and provide for its  
5 disposition;

6           (2) Designate collecting officers for funds generated for the MVNP  
7 and formulate procedures for the management and disbursement thereof;

8           (3) Recommend the appointment of the Protected Area Superintendent  
9 (PASu) to the RD of DENR Region V based on internal selection criteria;

10          (4) Exact fines and fees for violations of this Act, guidelines, rules and  
11 regulations within the MVNP;

12          (5) Promulgate its procedural rules, which shall include discipline and  
13 removal of its officers and members;

14          (6) Provide the necessary mechanisms to ensure the harmonization,  
15 complementation, consultation and participatory decision-making processes  
16 among the various stakeholders;

17          (7) Enter into any contract or agreement concerning the MVNP as may  
18 be necessary to carry out the purposes of this Act; and

19          (8) Perform such other functions necessary for the fulfillment of the  
20 provisions of this Act and all other applicable laws, rules and regulations.

21           The PAMB shall coordinate with the DENR regarding the confiscation  
22 of materials or resources from the MVNP, which shall be disposed of in  
23 accordance with the guidelines of the DENR. A report on this matter shall be  
24 regularly rendered by the concerned officer of the DENR and the PASu to the  
25 PAMB. The proceeds of the disposition of these materials or resources shall  
26 accrue to the PAMB Trust Fund.

27           *SEC. 6. Jurisdiction Over the MVNP.* – The overall authority and  
28 jurisdiction over the MVNP shall be exercised by the PAMB. This jurisdiction  
29 and authority shall be exercised in harmony with the powers, rights and  
30 authorities of the local government units (LGUs) having territorial jurisdiction

1 over the MVNP: *Provided, however,* That in the issues of protection and  
2 conservation, the authority of the PAMB shall take precedence. The DENR  
3 RD shall oversee the performance of the PAMB.

4 SEC. 7. *MVNP Buffer Zone.* – The PAMB may identify and  
5 recommend the establishment of a buffer zone, in consultation with the MVNP  
6 stakeholders.

7 The buffer zone shall be a component of the MVNP under the  
8 jurisdiction of the PAMB. Specific management prescription and land use  
9 management options shall be provided by the PAMB for the buffer zone. Such  
10 prescription and land use options shall be incorporated in the General  
11 Management Plan (GMP) and the LGU's Comprehensive Land Use Plans  
12 (CLUPs).

## 13 ARTICLE II

### 14 MANAGEMENT AND INSTITUTIONAL MECHANISMS

15 SEC. 8. *Term of Office of PAMB Members.* – The Secretary of the  
16 DENR shall appoint the members of the PAMB. Except for local government  
17 officials, members of the PAMB shall serve for a term of five (5) years:  
18 *Provided,* That the member remains connected with the sector represented.

19 The PAMB shall issue the necessary guidelines for the selection and  
20 qualification of its members, and replacement process in case a vacancy  
21 occurs. The PAMB members shall not receive any compensation but shall be  
22 entitled to reasonable *per diem* in accordance with existing accounting,  
23 budgeting and auditing rules and regulations.

24 SEC. 9. *Protected Area Superintendent (PASu).* – There is hereby  
25 appointed a Protected Area Superintendent as the chief operating DENR  
26 officer of the MVNP. The PASu shall be supported by the existing personnel  
27 of the DENR and shall be directly accountable to the PAMB and to the RD of  
28 DENR Region V. The PASu shall, however, provide necessary coordinative  
29 mechanisms to the Community Environment and Natural Resources Office  
30 (CENRO) and the Provincial Environment and Natural Resources Office

1 (PENRO). The PASu shall have full responsibility to the protection of land,  
2 water, wildlife and other resources within the MVNP. Pursuant thereto, the  
3 PASu shall have the following duties and responsibilities in addition to those  
4 under existing laws and regulations:

5 (a) Prepare the management plan and its subsequent plans as herein  
6 provided;

7 (b) Serve as secretariat to the PAMB with the duty to provide the  
8 PAMB with all the information necessary to make appropriate decisions for  
9 the implementation of this Act;

10 (c) Recommend the hiring of the necessary personnel to support the  
11 operations of the MVNP subject to the availability of funds;

12 (d) Develop and implement park information, education and visitor  
13 programs;

14 (e) Enforce the laws, rules and regulations and PAMB resolutions  
15 relevant to the protected area and its buffer zones, and assist in the prosecution  
16 of offenses. Monitor all the activities within the MVNP and its buffer zones in  
17 conformity with the management plan; and

18 (f) Perform such other functions as the PAMB may assign.

19 SEC. 10. *The General Management Plan (GMP)*. – There shall be a  
20 MVNP General Management Plan. The GMP shall articulate the overall  
21 strategic direction for the protection and management of the MVNP. It shall  
22 also include all site-specific management strategies and activity targets for all  
23 management zones and for other sectoral concerns of the MVNP. The GMP  
24 shall be prepared by the PASu in close collaboration with the PAMB and other  
25 stakeholders of the MVNP. The GMP shall cover a period of applicability for  
26 twenty-five (25) years, subject to periodic review every five (5) years or as the  
27 need arises. The GMP shall be reviewed and approved by the PAMB.  
28 The GMP shall also be presented to all the LGUs within the MVNP and shall  
29 be integrated in their specific CLUPs and Municipal Development Plans  
30 (MDPs).



1           The GMP shall conform to all national environmental programs of the  
2 government, and shall be affirmed by the DENR Secretary.

3           SEC. 11. *The Role of Local Government Units and Local*  
4 *Communities.* – The Provincial Government of Albay and the cities of  
5 Tabaco, Legazpi and Ligao and the municipalities of Malilipot, Sto. Domingo,  
6 Daraga, Camalig and Guinobatan, with stakeholders in the MVNP, are hereby  
7 recognized as partners in the protection and management of the MVNP. As  
8 such, they shall participate in the management of the MVNP through the  
9 PAMB. The provisions of this Act shall be incorporated into the  
10 municipal/city and provincial plans as part of their environmental concerns  
11 and shall ensure that local ordinances pertaining to environment are consistent  
12 with this Act and the GMP, as herein provided.

13           The LGUs shall also allocate not less than three percent (3%) of their  
14 local development fund to finance the conservation and development activities  
15 in the MVNP protected area, within the framework of the GMP and approved  
16 by the PAMB.

17           SEC. 12. *MVNP Fund.* – There is hereby established a trust fund to  
18 be known as the MVNP Fund for purposes of financing projects of the  
19 MVNP. All income generated from the operation and management of the  
20 MVNP shall accrue to the MVNP Fund. These income shall be derived from  
21 fees from permitted sale and export of flora and fauna and other resources  
22 from the protected area; proceeds from lease of multiple-use areas;  
23 contributions from industries and facilities directly benefiting from the  
24 protected area; and such other fees and income derived from the operation of  
25 the protected area.

26           The MVNP Fund may be augmented by grants, donations, and  
27 endowment from various sources, domestic or foreign.

28           The PAMB of the MVNP shall retain seventy-five percent (75%) of all  
29 revenues raised, to be deposited in any government bank within the locality:  
30 *Provided,* That disbursements out of such deposits shall be made solely for the  
31 protection, maintenance, administration and management of the area and the

1 implementation of duly approved projects endorsed by the PAMB in  
2 accordance with existing accounting, budgeting and auditing rules and  
3 regulations: *Provided, further*, That the MVNP Fund shall not be used to  
4 cover personal services expenditures.

5 The remaining twenty-five percent (25%) of the revenues shall be  
6 deposited as a special account in the National Treasury as share in the  
7 Integrated Protected Area Fund (IPAF) created pursuant to Republic Act  
8 No. 7586.

9 The concerned LGUs shall continue to impose and collect all other fees  
10 not enumerated herein but which they have traditionally collected, such as  
11 business permits, property tax, and rental of LGU facilities. Furthermore,  
12 LGUs may charge fees in addition to those imposed by the PAMB: *Provided*,  
13 That such additional fees shall be determined based on the contribution of the  
14 LGUs in the maintenance and protection of the protected area.

15 SEC. 13. *Tax Exemption.* – Any grant, bequest, endowment, donation  
16 and contribution made to the MVNP to be used actually, directly and  
17 exclusively by the MVNP shall be exempt from donor's tax and the same shall  
18 be considered as allowable deduction from the gross income of the donor, in  
19 accordance with the provisions of the National Internal Revenue Code of  
20 1997, as amended.

### 21 ARTICLE III

#### 22 UTILIZATION OF RESOURCES

23 SEC. 14. *Resource Use.* – No person or entity shall enter, enjoy or  
24 utilize any portion of the MVNP and the resources therein for whatever  
25 purpose without prior permission from the PAMB or the PASu as herein  
26 provided. Tenured migrants, if there are any, may be allowed to cultivate,  
27 harvest and utilize resources in the designated multiple-use zone, buffer zones  
28 and in other allowable zones as may be indicated in the GMP.

29 Bioprospecting and other biodiversity-related researches shall be  
30 allowed only to PAMB-accredited research institutions. Stricter procedures in  
31 the conduct of such academic and commercial research activities shall be

1 issued by the PAMB within six (6) months from the effectivity of this Act.

2 The derivation and utilization of resources within the MVNP shall be  
3 governed by the PAMB and shall be allowed only for the purpose of  
4 maintaining the ecological balance and integrity of the MVNP.

5 SEC. 15. *Utilization Permits and User's Fees.* – The PAMB shall have  
6 the exclusive power to issue permits and impose its conditions or impose and  
7 collect fees for the derivation and utilization of resources within the MVNP:  
8 *Provided,* That the PAMB may delegate to the PASu the authority to issue  
9 permits and to collect fees for temporary access to the MVNP, such as passage  
10 and visiting, subject to the limits as may be provided by the PAMB: *Provided,*  
11 *however,* That entry into the MVNP for emergency reasons shall not be  
12 subject to entrance fees or user's fees.

13 SEC. 16. *Water User's Fees.* – A water user's fee shall be collected  
14 from any water user where water is used for any of the following purposes:  
15 domestic use, industrial or commercial use, irrigation, recreation, or power  
16 generation in an amount to be determined by the PAMB after due consultation  
17 with the LGUs within the MVNP.

18 The PAMB shall formulate the necessary rules and regulations for the  
19 effective implementation of this section.

20 SEC. 17. *Energy and Nonrenewable Resources.* – Any exploration,  
21 exploitation or utilization of nonrenewable resources, such as minerals and  
22 fossil fuel such as oil, coal and natural gas within the MVNP shall not be  
23 allowed. Except from sun and wind sources, energy projects shall be allowed  
24 only through an Act of Congress.

25 SEC. 18. *Environmental Impact Assessment (EIA).* – Any development  
26 activity within the MVNP, being an Environmentally Critical Area (ECA),  
27 shall be subjected to the Environmental Impact Statement (EIS) system  
28 pursuant to Presidential Decree No. 1586. The PAMB shall determine the  
29 developmental activities that would require an Environmental Compliance  
30 Certificate (ECC) in consultation with the concerned agency.

## ARTICLE IV

## TENURED MIGRANTS

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2  
3       SEC. 19. *The Rights of the Tenured Migrants.* – The rights of the  
4 tenured migrants, if there be any, shall be covered by an appropriate tenurial  
5 instrument issued by the DENR. Such instrument shall be issued to organized  
6 tenured migrant communities.

## ARTICLE V

## PROHIBITED ACTS AND PENALTIES

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8  
9       SEC. 20. *Prohibited Acts and Penalties.* – The following are the  
10 prohibited acts and their corresponding penalties:

11       (a) Hunting, collecting, catching, gathering, capturing, wounding,  
12 killing, destroying, or possessing within the MVNP or its buffer zones species  
13 of plants and animals or their by-products or derivatives, or transporting of  
14 these plants and animal species without prior approval of the PAMB.  
15 The offender shall be penalized with a fine of not less than five thousand  
16 pesos (P5,000.00) but not more than five hundred thousand pesos  
17 (P500,000.00) and imprisonment of not less than six (6) years and one (1) day  
18 but not more than twelve (12) years and forfeiture of all resources, equipment  
19 and conveyances used for violating this section. The PAMB shall also impose  
20 an administrative fine based on the market value of the resources, plus  
21 ten (10) times the market value of the resources as environmental damages,  
22 and forfeiture of all resources, equipment and conveyances used for violating  
23 this section;

24       (b) Bioprospecting without obtaining prior PAMB clearance and FPIC,  
25 and the appropriate DENR permit. Penalty shall be six (6) months and one (1)  
26 day to six (6) years of imprisonment, and a fine of two hundred thousand pesos  
27 (P200,000.00) to one million pesos (P1,000,000.00) and forfeiture of the  
28 resources subject of the offense, together with the equipment and conveyance  
29 used. The PAMB shall also impose an administrative fine of five hundred  
30 thousand pesos (P500,000.00) to two million pesos (P2,000,000.00) and  
31 forfeiture of all resources, equipment and conveyances used for violating this



1 section. Violation of the terms and conditions of any existing permits granted  
2 to institutions or individuals shall constitute the commission of this offense.  
3 In addition to the penalties herein provided, any permit granted to the offender  
4 shall be automatically cancelled;

5 (c) Acts of vandalism such as mutilating, transporting, destroying,  
6 excavating or in any manner damaging any natural formation or object of  
7 natural beauty inside the MVNP, including the removal, destruction and  
8 alteration of boundary markers and signs. Fine of not less than twenty-five  
9 thousand pesos (P25,000.00) but not more than five hundred thousand pesos  
10 (P500,000.00) or imprisonment of not less than six (6) months and one (1) day  
11 but not more than six (6) years and the restoration and rehabilitation of the  
12 damaged area. The PAMB shall also separately impose on the offender, a fine  
13 equivalent to the value of rehabilitating or restoring the damaged area;

14 (d) Burning, clearing or kaingin within the MVNP or its buffer zones.  
15 Judicial fine of not less than ten (10) times the value of the burned or cleared  
16 areas and imprisonment of one (1) year and one (1) day but not more than six  
17 (6) years. The PAMB shall also separately impose on the offender, an  
18 administrative fine equivalent to the value of rehabilitating or restoring the  
19 damaged area;

20 (e) Unreasonable disturbance of wildlife and other habitats,  
21 reproductive cycles, roosting and feeding grounds and migratory paths.  
22 Judicial fines and penalties shall be in accordance with the provision of the  
23 Wildlife Act. The PAMB shall also impose an administrative fine of not less  
24 than ten thousand pesos (P10,000.00) but not more than fifty thousand pesos  
25 (P50,000.00);

26 (f) Exploration, exploitation or extracting, drilling, or prospecting for  
27 mineral resources, treasure hunting, or quarrying within the MVNP or its  
28 buffer zones. Judicial fine of not less than five hundred thousand pesos  
29 (P500,000.00) but not more than five million pesos (P5,000,000.00) and/or  
30 imprisonment of not less than six (6) months and one (1) day but not more  
31 than six (6) years, and the restoration and rehabilitation of the damaged area,

1 together with the confiscation of equipment, tools, vehicles and resources.  
2 The PAMB shall also separately impose on the offender, a fine equivalent to  
3 the value of rehabilitating or restoring the damaged area;

4 (g) Possession or use of chainsaw, power saw and other motorized  
5 equipment anywhere within the MVNP or its buffer zones without prior permit  
6 from the PAMB. Imprisonment of six (6) years and one (1) day to eight (8)  
7 years or a fine of thirty thousand pesos (P30,000.00) to fifty thousand pesos  
8 (P50,000.00) shall be imposed on the offender in violation of this section. The  
9 PAMB shall also confiscate the chainsaw, power saw and other motorized  
10 equipment;

11 (h) Introduction of exotic species within the MVNP. Fine of not less  
12 than five thousand pesos (P5,000.00) but not more than five hundred thousand  
13 pesos (P500,000.00) and/or imprisonment of not less than six (6) months and  
14 one (1) day but not more than six (6) years. The PAMB shall also confiscate  
15 the exotic species of flora and fauna. Should the court or the PAMB  
16 determine that these species are detrimental to the integrity of the MVNP, they  
17 shall order the appropriate disposition of the same;

18 (i) Construction or maintaining any kind of road, edifice, or any kind  
19 of enclosure, structure, facility or any infrastructure project, or operating  
20 business enterprise within the MVNP without prior permit from the PAMB.  
21 Fine of not less than five hundred thousand pesos (P500,000.00) but not more  
22 than five million pesos (P5,000,000.00) and/or imprisonment of not less than  
23 six (6) months and one (1) day but not more than six (6) years, and demolition  
24 of the improvements which may be detrimental to the integrity of the MVNP  
25 shall be imposed. The court shall forfeit in favor of the PAMB all  
26 improvements, equipment and conveyances used in violation of this section;

27 (j) Unauthorized entry except in emergency situations. The PAMB  
28 shall impose an administrative fine of one thousand pesos (P1,000.00) to  
29 thirty thousand pesos (P30,000.00) as herein provided;

30 (k) Unauthorized occupation or cultivation of areas without PAMB  
31 permit. The PAMB shall impose an administrative fine of ten thousand pesos



1 (P10,000.00) to seven hundred thousand pesos (P700,000.00) together with the  
2 forfeiture of all improvements, which may be detrimental to the integrity of  
3 the MVNP; and

4 (l) Dumping of waste and littering within the MVNP and its buffer  
5 zones. Dumping of waste shall be punishable by imprisonment of six (6)  
6 months and one (1) day but not more than six (6) years and a fine of five  
7 thousand pesos (P5,000.00) to two hundred fifty thousand pesos  
8 (P250,000.00). The violator shall also be ordered to clean up the waste and  
9 pay for the cleanup thereof.

10 (m) Violation of rules and regulations provided in the GMP or  
11 resolutions approved by the PAMB. An administrative fine of not less than  
12 five thousand pesos (P5,000.00) but not more than fifty thousand pesos  
13 (P50,000.00) shall be imposed.

14 In all the abovementioned acts, should the offender be an association or  
15 corporation, the officers thereof shall be directly responsible for the act of the  
16 employees of the association or corporation and shall suffer the corresponding  
17 fines and penalties as herein provided. An offender who is not a citizen of the  
18 Philippines shall be immediately deported to their country of origin after  
19 serving sentence and upon payment of all criminal and administrative fines.  
20 For cases involving foreigners, no plea-bargaining shall be allowed without  
21 the concurrence of the PAMB, the DENR and any such person who has  
22 initiated the filing of the case as complainant.

23 SEC. 21. *Fines and Forfeitures.* – All criminal fines and forfeitures that  
24 may be imposed by the courts, and the administrative fines and forfeitures that  
25 may be imposed by the PAMB under this Act, shall be given to the PAMB and  
26 shall form part of the funds and assets of the MVNP.

## 27 ARTICLE VI

### 28 LAW ENFORCEMENT AND PROSECUTION

29 SEC. 22. *Law Enforcement.* – The DENR shall implement the  
30 provisions of this Act and shall have the power to call upon other agencies for  
31 assistance. The DENR, upon the recommendation of the PAMB, shall

1 deputize any group or persons to enforce the provisions of this Act. Such  
2 deputization shall be in writing and signed by the DENR Secretary or the RD  
3 to be valid and effective.

4       SEC. 23. *Inspection Powers.* – The PASu and law enforcers shall have  
5 the power to stop, board, search and inspect all vehicles and conveyances  
6 within the MVNP for the purpose of enforcing the provisions of this Act, other  
7 laws, rules and regulations. The PASu and other authorized law enforcers may  
8 enter premises or areas subject of a lease, permit or concession from the  
9 PAMB or DENR for monitoring of compliance with environmental laws, rules  
10 and regulations. Any hindrance made to these inspections shall be considered  
11 a violation of these rules and shall subject the offender to the immediate  
12 closure of the enterprise pending full inspection as may be warranted.

13       SEC. 24. *Special Prosecutors and Counsels.* – The Department of  
14 Justice (DOJ), upon the recommendation of the PAMB, shall designate a  
15 special prosecutor, from among state and public prosecutors to do the  
16 preliminary investigation and prosecute violations of this Act, other laws, rules  
17 and regulations within the MVNP. The special prosecutor shall coordinate  
18 with the PAMB and PASu in the performance of duties and assist in the  
19 training of forest rangers in arrest and criminal procedures. The PAMB shall  
20 periodically submit an evaluation of the performance of the designated special  
21 prosecutor to the DOJ.

22       The PAMB may retain the services of a competent lawyer to  
23 prosecute and assist in the prosecution of cases under the direct control or  
24 supervision of the special prosecutor and to defend the members of the  
25 PAMB and PASu or persons assisting in the protection, conservation and  
26 development of the MVNP against any legal action related to the powers,  
27 functions and responsibilities as provided in this Act or as delegated by  
28 the PAMB.

1           SEC. 25. *Citizen's Suit.* – For purposes of enforcing the provisions of  
2 this Act or its implementing rules and regulations (IRR), any citizen may file  
3 an appropriate civil, criminal or administrative action in the proper  
4 courts/bodies against:

5           (a) Any person who violates or fails to comply with the provisions of  
6 this Act or its IRR;

7           (b) Any person who is mandated to implement and enforce the  
8 provisions of this Act with respect to orders, rules and regulations issued  
9 inconsistent with this Act; and

10           (c) Any public officer who willfully or grossly neglects the  
11 performance of an act specifically enjoined as a duty by this Act or IRR, or  
12 abuses one's authority in the performance of this duty or in any manner  
13 improperly performs the duties under this Act or its IRR: *Provided, however,*  
14 That no suit can be filed until after thirty (30) days notice has been given to the  
15 public officer and the alleged violator concerned and no appropriate action has  
16 been taken thereon.

17           The court shall exempt such action from the payment of filing fees, and  
18 statements; likewise, upon *prima facie* showing of the non-enforcement or  
19 violation complained of exempt the plaintiff from filing an injunction bond for  
20 the issuance of preliminary injunctions. In the event that the citizen's suit  
21 should prevail, the court shall award reasonable attorney's fees, moral  
22 damages and litigation costs to the plaintiff.

23           SEC. 26. *Suits and Strategic Legal Action against Public Participation*  
24 *(SSLAPP) and the Enforcement of this Act.* – Where a suit is brought against  
25 a person who has filed the appropriate case, criminal or administrative as  
26 provided in Sections 25 and 26 of this Act, against any person, institution or  
27 government agency implementing this Act, it shall be the duty of the  
28 investigating prosecutor or the court, as the case may be, to make a  
29 determination within a period of thirty (30) days whether said legal action has  
30 been filed to harass, vex, exert undue pressure or stifle such legal resource of  
31 the person complained of in enforcing the provisions of this Act. Upon

1 determination thereof, evidence warranting the same, the investigating  
2 prosecutor or the court, as the case may be, shall dismiss the complaint.

3 Further, the person who has brought the suit to harass, vex, exert undue  
4 pressure or stifle such legal recourse in the case of public officers who are  
5 sued for acts committed in their official capacity, there being no grave abuse  
6 of authority, and done in the course of enforcing this Act, shall be liable for  
7 the payment of attorney's fees and damages in favor of the respondent.

## 8 ARTICLE VII

### 9 TRANSITORY PROVISIONS

10 SEC. 27. *Selection and Appointment of the New Protected Area*  
11 *Management Board Members-Representatives.* – Prior to the effectivity of  
12 this Act, the existing PAMB shall continue to exercise its powers and  
13 functions until the new PAMB has been constituted in accordance with the  
14 provisions of this Act.

15 Within one (1) month from the effectivity of this Act, the existing  
16 PAMB shall draw up the guidelines in consultation with the agencies and  
17 sectors to be represented in the new PAMB, for the selection of its  
18 representatives.

19 Within three (3) months from the effectivity of this Act, the  
20 members of the PAMB shall have been appointed by the Secretary of the  
21 DENR.

## 22 ARTICLE VIII

### 23 GENERAL PROVISIONS

24 SEC. 28. *Rules and Regulations.* – The PAMB shall promulgate,  
25 within six (6) months from the effectivity of this Act, the appropriate rules and  
26 regulations.

27 SEC. 29. *Appropriations.* – The Secretary of the DENR shall include  
28 in the Department's program the implementation of this Act, the funding of  
29 which shall be included in the annual General Appropriations Act.

30 SEC. 30. *Construction and Suppletory Application of Existing Laws.*  
31 – The provisions of this Act shall be construed liberally in favor of achieving

1 biodiversity conservation, protection and sustainable development. The  
2 provisions of the NIPAS Act of 1992, existing forestry and environmental  
3 laws, and their corresponding rules and regulations not inconsistent hereto  
4 shall have suppletory effect in the implementation of this Act.

5       SEC. 31. *Separability Clause.* – If any part or section of this Act is  
6 declared unconstitutional or otherwise invalid, such declaration shall not affect  
7 the other parts or sections hereof.

8       SEC. 32. *Repealing Clause.* – All laws, presidential decrees, executive  
9 orders, rules and regulations inconsistent with this Act shall be deemed  
10 repealed or modified accordingly.

11       SEC. 33. *Effectivity.* – This Act shall take effect fifteen (15) days after  
12 its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

O