



HOUSE OF REPRESENTATIVES

H. No. 6449

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BY REPRESENTATIVES LOBREGAT, TY, NOGRALES (K.A.), CUA AND DALIPE,  
PER COMMITTEE REPORT NO. 392

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AN ACT DECLARING THE PASONANCA WATERSHED FOREST  
RESERVE LOCATED IN ZAMBOANGA CITY AS A PROTECTED  
AREA UNDER THE CATEGORY OF NATURAL PARK AND  
PROVIDING FOR ITS MANAGEMENT

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

1 CHAPTER I

2 INTRODUCTORY PROVISIONS

3 SECTION 1. *Title.* – This Act shall be known as the “Pasonanca  
4 Natural Park Act”.

5 SEC. 2. *Declaration of Policy.* – Considering the aesthetic,  
6 sociocultural, economic and ecological importance of the Pasonanca  
7 Watershed Forest Reserve, it is hereby declared the policy of the State to  
8 further secure its protection and conservation, and the way of life of  
9 the people and communities residing therein. For this reason, the State  
10 shall protect and conserve its biodiversity; advance, respect and protect  
11 the customs and interests of its legitimate inhabitants; and foster  
12 partnerships among government, nongovernment organizations (NGOs)  
13 and people’s organizations (POs).

1           SEC. 3. *Scope.* — The Pasonanca Natural Park located in Zamboanga  
2 City, which covers a total area of about twelve thousand one hundred two and  
3 8/100 (12,102.08) hectares, is more particularly described as follows:

4           Beginning at a point marked "1" on the Map, being N 06°53'25" E,  
5 3,871.1994 meters from PRS '92 Control Monument "ZGC-2" with  
6 geographic coordinates 06°55'24.43" N, 122°04'3.2668" E located at Edwin  
7 Andrews Base, Zamboanga City.

8	thence	N 34°36'09" W	783.61	meters to corner	2;
9	thence	N 36°52'11" W	235	meters to corner	3;
10	thence	N 36°37'00" W	271.6	meters to corner	4;
11	thence	N 36°04'55" W	1774.37	meters to corner	5;
12	thence	N 36°01'38" W	1074.52	meters to corner	6;
13	thence	N 74°16'57" W	1000.4	meters to corner	7;
14	thence	N 14°41'31" W	339.09	meters to corner	8;
15	thence	N 38°19'18" W	1911.51	meters to corner	9;
16	thence	N 62°25'47" W	439.9	meters to corner	10;
17	thence	N 24°31'34" W	298.23	meters to corner	11;
18	thence	N 14°59'33" W	181.75	meters to corner	12;
19	thence	N 14°43'37" E	303.73	meters to corner	13;
20	thence	N 54°38'15" E	229.56	meters to corner	14;
21	thence	N 60°34'12" E	243.18	meters to corner	15;
22	thence	N 83°07'05" E	252	meters to corner	16;
23	thence	N 13°55'42" W	222.21	meters to corner	17;
24	thence	N 50°05'44" W	288.47	meters to corner	18;
25	thence	N 30°43'43" W	252.41	meters to corner	19;
26	thence	N 11°44'13" E	226.89	meters to corner	20;
27	thence	N 48°58'41" E	255	meters to corner	21;
28	thence	N 23°55'08" E	288.32	meters to corner	22;

1	thence	N 00°56'08" W	237.71	meters to corner	23;
2	thence	N 20°38'49" E	699.75	meters to corner	24;
3	thence	N 15°14'11" W	234.71	meters to corner	25;
4	thence	N 38°59'58" E	215.92	meters to corner	26;
5	thence	N 07°07'30" E	222.58	meters to corner	27;
6	thence	N 09°04'37" E	221.47	meters to corner	28;
7	thence	N 43°36'10" W	125.09	meters to corner	29;
8	thence	N 25°37'48" W	248.31	meters to corner	30;
9	thence	N 58°47'50" W	283.93	meters to corner	31;
10	thence	N 00°05'12" E	284.27	meters to corner	32;
11	thence	N 08°14'42" E	303.8	meters to corner	33;
12	thence	N 10°30'40" W	364.14	meters to corner	34;
13	thence	N 21°05'06" W	371.7	meters to corner	35;
14	thence	N 29°52'10" W	418.35	meters to corner	36;
15	thence	N 30°03'35" W	1033.35	meters to corner	37;
16	thence	N 62°06'51" E	1905.3	meters to corner	38;
17	thence	N 03°34'34" E	63.21	meters to corner	39;
18	thence	N 64°19'45" E	192.06	meters to corner	40;
19	thence	N 54°57'02" E	193.63	meters to corner	41;
20	thence	N 39°50'59" E	130.46	meters to corner	42;
21	thence	N 32°21'02" E	201.17	meters to corner	43;
22	thence	N 15°17'26" E	222.79	meters to corner	44;
23	thence	N 74°46'27" E	161.97	meters to corner	45;
24	thence	N 76°30'56" E	278.68	meters to corner	46;
25	thence	N 09°57'45" E	2251.35	meters to corner	47;
26	thence	N 06°28'22" E	2557	meters to corner	48;
27	thence	N 13°24'54" W	2076.45	meters to corner	49;
28	thence	S 89°52'27" E	3129.75	meters to corner	50;
29	thence	N 44°12'07" E	1929.32	meters to corner	51;

1	thence	S 37°27'50" E	341.75	meters to corner	52;
2	thence	S 23°05'01" E	612.32	meters to corner	53;
3	thence	S 41°36'23" E	275.27	meters to corner	54;
4	thence	S 06°29'29" E	911.66	meters to corner	55;
5	thence	S 08°20'38" W	212.43	meters to corner	56;
6	thence	S 04°00'41" W	240.35	meters to corner	57;
7	thence	S 02°47'29" W	390	meters to corner	58;
8	thence	S 03°50'48" E	362.02	meters to corner	59;
9	thence	S 37°36'01" E	307.73	meters to corner	60;
10	thence	S 43°57'50" E	243.56	meters to corner	61;
11	thence	S 45°50'01" E	211.84	meters to corner	62;
12	thence	S 42°58'47" E	249.84	meters to corner	63;
13	thence	S 46°52'26" E	215.45	meters to corner	64;
14	thence	S 45°15'30" E	292.84	meters to corner	65;
15	thence	S 47°51'44" E	238.09	meters to corner	66;
16	thence	S 44°44'18" E	192.88	meters to corner	67;
17	thence	S 42°17'31" E	65.25	meters to corner	68;
18	thence	S 47°56'29" E	223.12	meters to corner	69;
19	thence	S 46°06'38" E	272.64	meters to corner	70;
20	thence	S 42°56'58" E	184.63	meters to corner	71;
21	thence	S 42°13'59" E	237.19	meters to corner	72;
22	thence	S 38°34'00" E	239.75	meters to corner	73;
23	thence	S 19°51'29" E	317.17	meters to corner	74;
24	thence	S 00°25'12" W	254.72	meters to corner	75;
25	thence	S 00°40'52" W	235.73	meters to corner	76;
26	thence	S 01°02'45" W	307.08	meters to corner	77;
27	thence	S 11°09'16" W	356.07	meters to corner	78;
28	thence	S 45°44'32" W	321.18	meters to corner	79;
29	thence	S 57°22'41" W	372.11	meters to corner	80;

1	thence	S 82°49'16" W	259.04	meters to corner	81;
2	thence	S 22°20'15" W	360.04	meters to corner	82;
3	thence	S 25°09'40" W	188.03	meters to corner	83;
4	thence	S 33°34'56" W	217.24	meters to corner	84;
5	thence	S 32°50'42" W	322.84	meters to corner	85;
6	thence	S 34°22'15" W	263.24	meters to corner	86;
7	thence	S 44°30'02" W	318.39	meters to corner	87;
8	thence	S 46°17'47" W	337.19	meters to corner	88;
9	thence	S 05°47'11" W	257.83	meters to corner	89;
10	thence	S 23°53'16" W	267.67	meters to corner	90;
11	thence	S 02°41'47" E	625.55	meters to corner	91;
12	thence	S 52°25'12" W	2111.22	meters to corner	92;
13	thence	S 58°17'58" E	806.43	meters to corner	93;
14	thence	S 74°02'56" E	822.59	meters to corner	94;
15	thence	S 15°53'52" E	1247.38	meters to corner	95;
16	thence	S 38°46'29" W	742.7	meters to corner	96;
17	thence	S 01°43'09" W	1389.21	meters to corner	97;
18	thence	S 00°00'00" W	868	meters to corner	98;
19	thence	S 55°36'09" W	292.07	meters to corner	99;
20	thence	S 36°41'23" E	63.6	meters to corner	100;
21	thence	S 49°39'38" W	1209.62	meters to corner	101;
22	thence	S 37°44'12" W	145.42	meters to corner	102;
23	thence	S 05°10'26" E	255.04	meters to corner	103;
24	thence	S 75°15'47" E	436.35	meters to corner	104;
25	thence	S 74°03'16" E	123.76	meters to corner	105;
26	thence	S 12°03'33" E	224.96	meters to corner	106;
27	thence	S 12°20'20" E	327.57	meters to corner	107;
28	thence	S 08°13'09" W	181.87	meters to corner	108;
29	thence	N 20°37'47" W	181.65	meters to corner	109;

1	thence	N 34°29'36" W	197.77	meters to corner	110;
2	thence	N 13°06'59" W	211.52	meters to corner	111;
3	thence	N 64°14'58" W	377.49	meters to corner	112;
4	thence	S 89°30'06" W	345.01	meters to corner	113;
5	thence	S 26°09'15" W	374.33	meters to corner	114;
6	thence	S 20°16'08" W	256.91	meters to corner	115;
7	thence	S 06°28'44" W	319.04	meters to corner	116;
8	thence	S 09°30'39" W	387.32	meters to corner	117;
9	thence	S 24°11'01" E	236.78	meters to corner	118;
10	thence	S 30°14'18" E	460.68	meters to corner	119;
11	thence	S 06°06'55" E	140.8	meters to corner	120;
12	thence	S 13°43'36" W	1976.45	meters to corner	1

13 containing an area of twelve thousand one hundred two and 08/100  
 14 (12,102.08) hectares.

15       SEC. 4. *Land Classification.* – Subject to private rights if there be  
 16 any, all lands of the public domain declared within the coverage and scope of  
 17 the Pasonanca Natural Park shall fall under the land classification of national  
 18 park: *Provided, however,* That the present land classification of any area  
 19 within its buffer zone, as defined and delimited herein, shall be retained and is  
 20 hereby respected.

21       SEC. 5. *Definition of Terms.* – As used in this Act:

22       (a) *Biodiversity or biological diversity* refers to the variability among  
 23 living organisms, including their genetic and structural differences, the  
 24 variability within and between species, and the variability within and  
 25 between ecosystems;

26       (b) *Buffer zone* refers to identified areas outside the boundaries of and  
 27 immediately adjacent to designated protected areas pursuant to Section 8 of  
 28 Republic Act No. 7586 or the "National Integrated Protected Areas System



1 (NIPAS) Act of 1992” that need special development control in order to avoid  
2 or minimize harm to the protected area;

3 (c) *Environmental Impact Assessment (EIA)* refers to the procedures  
4 undertaken pursuant to the Environment Impact Assessment System  
5 established under Presidential Decree No. 1586 or supervening legislation;

6 (d) *Management plan* refers to the fundamental plan, strategy and/or  
7 scheme which shall guide all activities relating to the Pasonanca Natural Park  
8 in order to attain the objectives of this Act as stated in Section 2 hereof;

9 (e) *National Integrated Protected Areas System (NIPAS)* refers to the  
10 classification and administration of all designated protected areas to maintain  
11 essential ecological processes and life-support systems, to preserve genetic  
12 diversity, to ensure sustainable use of resources found therein and to maintain  
13 their natural conditions to the greatest extent possible;

14 (f) *National park* refers to one (1) of the four (4) classifications of  
15 lands of the public domain, the others being agricultural, forest or timber and  
16 mineral lands, pursuant to the Constitution;

17 (g) *Natural park* refers to a relatively large area not materially altered  
18 by human activity where extractive resource uses are not allowed, and  
19 maintained to protect outstanding natural and scenic areas of national or  
20 international significance for scientific, educational and recreational use; and

21 (h) *Protected area* refers to identified portions of land and water set  
22 aside by reason of their unique physical and biological significance, and  
23 managed to enhance biological diversity and protected against destructive  
24 human exploitation.

## 25 CHAPTER II

### 26 PROTECTED AREA MANAGEMENT

27 SEC. 6. *Management Mechanism.* – The management and  
28 administration of the Pasonanca Natural Park shall be consultative and  
29 participatory. The policy-making authority is solely vested in the Protected

1 Area Management Board (PAMB), which shall be chaired by the Department  
2 of Environment and Natural Resources (DENR) Regional Director (RD) for  
3 Region IX. From time to time, the PAMB may also create committees to  
4 which it may delegate some of its powers and functions.

5 SEC. 7. *The Protected Area Management Board (PAMB).* – The  
6 PAMB shall be composed of the following:

7 (a) The DENR RD for Region IX, as Chairperson;

8 (b) The Mayor of Zamboanga City or a duly designated representative,  
9 as vice chairperson;

10 (c) The Chairperson of the Committee on Natural Resources and  
11 Environmental Protection of the Sangguniang Panlungsod of Zamboanga  
12 City, as member;

13 (d) The General Manager of the Zamboanga City Water District  
14 (ZCWD) or a duly designated representative, as member;

15 (e) The planning and development officer of Zamboanga City,  
16 as member;

17 (f) The barangay chairperson in Zamboanga City whose areas of  
18 jurisdiction are within the protected area, as member;

19 (g) Three (3) representatives from Zamboanga City-based NGOs and  
20 community organizations, including POs, church or civic organizations, with  
21 interests within the protected area, as members;

22 (h) Three (3) representatives from national government agencies with  
23 offices in Zamboanga City, that are involved in protected area management or  
24 whose mandate affects the protection and conservation of the park, to be  
25 appointed by the DENR Secretary upon the recommendation of their  
26 respective heads of office, as members; and

27 (i) Three (3) representatives from local stakeholders who can assist  
28 and contribute in the protection and conservation of the park, to be appointed  
29 by the DENR Secretary, as members.



1 In selecting the representatives from the POs and the NGOs, the  
2 following criteria shall be primarily considered:

3 (1) Active involvement in the ecological conservation, preservation,  
4 rehabilitation and protection of the park;

5 (2) Good potential in community organizing and other development  
6 works;

7 (3) Favorable track record in community work; and

8 (4) Accreditation by the local government of Zamboanga City  
9 and the DENR.

10 SEC. 8. *Term of Office of PAMB Members.* – Except for the  
11 government officials who shall serve *ex officio* and whose term of office as  
12 PAMB members are coterminous with their employment in the agency being  
13 represented, the members of the PAMB shall be appointed by the DENR  
14 Secretary and shall serve for a term of five (5) years: *Provided*, That said  
15 PAMB members remain connected with the organization being represented.  
16 Whenever a vacancy occurs during the term of a PAMB member who is not a  
17 government agency representative, a new member shall be chosen in the  
18 same manner as the original selection process: *Provided, further*, That the  
19 substitute shall only serve for the remaining term.

20 The members of the PAMB shall not receive any compensation but  
21 shall be entitled to reasonable *per diem* in accordance with existing accounting  
22 and auditing rules and regulations.

23 SEC. 9. *Duties and Functions of the PAMB.* – As the highest  
24 policy-making body for the protected area, the PAMB shall exercise the  
25 following powers and functions:

26 (a) Approve or decide on all matters related to or based on the  
27 approved management plan, proposals, work and action plans, resource  
28 protection, delineation and demarcation of protected area boundaries, buffer

1 zones, ancestral domains, recognition of rights and privileges, and guidelines  
2 and policies for the management and conservation of the protected area;

3 (b) Review and adopt the management plan and development  
4 program and their implementing rules and regulations, and ensure strict  
5 compliance therewith;

6 (c) Control and regulate the construction and maintenance of roads,  
7 trails, waterworks, sewerage, fire protection and sanitation systems and other  
8 utilities within the park;

9 (d) Control and supervise the Office of the Protected Area  
10 Superintendent (PASu) and monitor and evaluate the performance of the  
11 protected area personnel, NGOs and communities involved in conservation  
12 and development work;

13 (e) Issue all necessary permits for authorized activities within  
14 the park, including its buffer zones, and collect reasonable fees therefor  
15 in accordance with the management plan relative to the conservation and  
16 protection of the park. The PAMB may delegate this authority to the  
17 PASu under proper guidelines;

18 (f) Deputize, through the PASu, individuals for the enforcement of all  
19 laws, rules and regulations governing conduct within the park and its buffer  
20 zones, and prescribe the qualifications therefor;

21 (g) Accept donations and grants, approve proposals for funding and  
22 budget allocation, and exercise accountability over all funds that may accrue;

23 (h) Coordinate with the appropriate agencies of the government,  
24 local or national, on all matters related to the protection and conservation  
25 of the protected area and its buffer zones, and request their assistance  
26 for the same purpose;

27 (i) Retain a legal counsel, either on permanent, temporary or part-time  
28 basis, to defend cases against the PAMB, the PASu Office and staff, and  
29 deputized individuals whenever they are sued in connection with the

1 performance of their duties under this Act, and to assist the PAMB on all legal  
2 matters; and

3 (j) Adopt rules and procedures for the conduct of business,  
4 including the creation of committees to which certain powers of the  
5 PAMB may be delegated.

6 The DENR, through the RD for Region IX, shall ensure that the PAMB  
7 acts within the scope of its powers and functions. In case of conflict between  
8 administrative orders issued by the DENR pursuant to Republic Act No. 7586,  
9 otherwise known as the "National Integrated Protected Areas System (NIPAS)  
10 Act of 1992", the rules and regulations issued pursuant thereto and other  
11 relevant laws on environmental protection and natural resources management  
12 and the resolutions and issuances of the PAMB, the DENR Secretary shall  
13 decide as to which rule, regulation or resolution shall prevail.

14 *SEC. 10. Protected Area Superintendent (PASu) Office.* – There is  
15 hereby established a Protected Area Superintendent's Office in charge of the  
16 management, protection and administration of the protected area. The PASu  
17 Office shall be supported by the existing personnel of the DENR. The head of  
18 office shall be the chief operating officer of the Pasonanca Natural Park and  
19 shall be accountable to the DENR RD for Region IX and the PAMB. The  
20 PASu shall have the following powers and functions:

21 (a) Prepare the management plan and its successor plans as  
22 herein provided;

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

26 (c) Supervise the necessary personnel to support operations as the  
27 budget may allow;

1 (d) Establish a productive partnership with local communities,  
2 including groups supporting the achievement of the goals and  
3 objectives of this Act;

4 (e) Develop and implement park information, education and  
5 visitor programs;

6 (f) Enforce the laws, rules and regulations and PAMB resolutions  
7 relevant to the protected area and its buffer zones, and assist in the  
8 prosecution of offenses;

9 (g) Monitor all activities within the protected area and its buffer zones  
10 in conformity with the management plan; and

11 (h) Perform such other functions as the PAMB may assign.

12 SEC. 11. *Management Plan.* – Within one (1) year from the  
13 effectivity of this Act, the PASu shall prepare a management plan in  
14 accordance with the General Management Planning Strategy (GMPS) and in  
15 coordination with the appropriate offices of the DENR, local communities, the  
16 City Government of Zamboanga, NGOs, other government agencies and  
17 available experts with socio-environmental, economic and ecological  
18 experience in the area. The plan shall contain, among others, the following:

19 (a) The period of its applicability, at least for ten (10) years, subject to  
20 review at any time as may be determined necessary by the Board;

21 (b) The analysis of key management issues and problems considered  
22 as threats to conservation, management and maintenance, including impacts  
23 on the important features of the area;

24 (c) Broad and long-term vision in the form of goals, guiding policies  
25 for management, sets of objectives and specific statements on what  
26 management can achieve within the time frame of the plan;

27 (d) Site management strategies;

1 (e) Zoning plan, illustrating the boundaries, classification and  
2 management of specific zones and other activities allowed or prohibited for  
3 each zone;

4 (f) Management programs to include the enforcement of laws, habitat  
5 and wildlife management, ecotourism, sustainable use of resources,  
6 infrastructure development and maintenance, fire prevention and pest control;

7 (g) Mechanisms for the protection of tenured migrants in the exercise  
8 of their rights;

9 (h) Sustainable and nondestructive livelihood activities; and

10 (i) Regulations in the furtherance of preservation and conservation  
11 objectives, such as the requirements in the issuance of permits and rules on the  
12 restrictions of resource use.

13 The management plan shall be reviewed and adopted by the PAMB and  
14 certified by the DENR Secretary that it conforms to all laws, rules and  
15 regulations issued by the DENR. In no case shall the management plan be  
16 revised or modified without the prior approval of the PAMB and in  
17 contravention to the procedures herein set forth.

18 One (1) year before the expiration of the management plan, the Office  
19 of the PASu shall prepare a successor management plan which shall be done  
20 in the same manner as the procedure and principles herein set forth and in  
21 accordance with the GMPS. In the same period, the PASu shall cause the  
22 publication of notices for comments and suggestions on the successor plan in  
23 a newspaper of local circulation and the posting of such notices in the city and  
24 barangay halls of the barangay units comprising the protected area and in  
25 three (3) other conspicuous places frequented by the public within the  
26 protected area. At least two (2) public hearings shall be conducted in  
27 order that the views and suggestions of affected sectors on the successor  
28 plan are heard.



1 The management plan shall be plainly written in English and  
2 Chabacano, and available for public perusal at the Office of the PASu.

3 SEC. 12. *Management Zoning.* – Management zones shall be  
4 established in the protected area to provide protection for critical or  
5 representative habitats. Within each management zone, similar management  
6 emphasis shall be applied, comparable levels of use shall be permitted and  
7 different uses shall be segregated. Each management zone shall be  
8 demarcated on the ground and indicated on the maps after undertaking  
9 such steps as land and resource use mapping and dialogue with the  
10 communities, the City Government of Zamboanga and other stakeholders.  
11 Within each zone, management prescriptions shall be reasonably uniform  
12 but may differ in type or intensity from those in other zones in order  
13 to accommodate multiple objectives.

#### 14 CHAPTER III

#### 15 TENURED MIGRANTS

16 SEC. 13. *Tenured Migrants.* – Any person who has been actually  
17 and continuously occupying an area within the Pasonanca Natural Park for  
18 a period of five (5) years prior to the issuance of Proclamation No. 199,  
19 dated December 17, 1987, proclaiming the Pasonanca Watershed Forest  
20 Reservation, and is solely dependent on the protected area for subsistence  
21 shall be considered a tenured migrant.

22 A tenured migrant shall be eligible to become a steward of a reasonable  
23 portion of land within the multiple-use or buffer zones of the Pasonanca  
24 Natural Park from which tenured migrant's subsistence is derived: *Provided,*  
25 That current occupants who do not qualify as tenured migrants shall be  
26 resettled outside the protected area.

27 The PAMB shall review all tenure instruments, land claims or permits  
28 issued for resource use within the protected area, if any, and recommend the  
29 issuance of appropriate tenure instrument consistent with the management or

1 successor plans. Those who have been cultivating land within the protected  
2 area shall be considered to be occupying such lands and shall be entitled to a  
3 tenure instrument that is limited to cultivation and residence: *Provided*, That  
4 the rights accruing under such tenure instrument can only be transferred to  
5 direct descendants.

6 Nothing herein shall be construed to mean any diminution of accrued  
7 rights earned by tenured migrants. If an area occupied by a tenured migrant is  
8 designated as a zone in which no occupation or other activities are allowed,  
9 the latter shall be transferred to a multiple-use area or to the buffer zone under  
10 just and humane conditions.

11 In the event of termination of a tenure instrument for cause or by  
12 voluntary surrender of rights, the PASu shall take immediate steps to  
13 rehabilitate the area in order to return it to its approximate natural state prior to  
14 cultivation or other acts by the tenured migrant.

15 SEC. 14. *Existing Rights*. – All prior property and private rights  
16 within the protected area and its buffer zones, and ancestral domains already  
17 existing and/or with vested rights already accruing prior to the effectivity of  
18 this Act shall be protected and respected in accordance with existing laws.

#### 19 CHAPTER IV

##### 20 PROHIBITED ACTS AND PENALTIES

21 SEC. 15. *Special Prosecutor*. – Within thirty (30) days from the  
22 effectivity of this Act, the Department of Justice (DOJ) shall appoint a special  
23 prosecutor to whom all cases of violation of laws, rules and regulations in the  
24 Pasonanca Natural Park shall be assigned. Such special prosecutor shall  
25 coordinate with the PAMB and the PASu in the performance of their duties  
26 and assist in the training of park personnel in arrest and criminal procedures.  
27 The PAMB shall periodically submit an evaluation of the performance of the  
28 special prosecutor of the DOJ.

1           SEC. 16. *Prohibited Acts.* – The following acts are prohibited within  
2 the Pasonanca Natural Park and their corresponding penalties:

3           (a) Hunting, destroying, disturbing or mere possession of any plant or  
4 animal and any product derived therefrom without a permit from the PAMB;

5           (b) Dumping of any waste product or any form of activity detrimental  
6 to the protected area, or to the plants and animals or inhabitants therein;

7           (c) Use of any vehicle or equipment within the protected area without  
8 a permit from the PAMB;

9           (d) Mutilating, defacing or destroying objects of natural beauty or  
10 objects of interest to cultural communities;

11           (e) Damaging or leaving roads and trails in a damaged condition;

12           (f) Squatting, undertaking mineral exploration, or otherwise  
13 occupying any portion of land;

14           (g) Constructing or maintaining any kind of structure, fence or  
15 enclosure, or conducting any business enterprise without a permit duly issued  
16 by the PAMB; and

17           (h) Altering, removing, destroying or defacing boundary  
18 marks or signs.

19           SEC. 17. *Penalties.* – Any person found guilty of any offense  
20 enumerated above shall be fined an amount of not less than five thousand  
21 pesos (P5,000.00) but not more than five hundred thousand pesos  
22 (P500,000.00), exclusive of the value of the thing damaged, and/or  
23 imprisonment of not less than one (1) year but not more than six (6)  
24 years, as may be determined by the court: *Provided*, That if the area requires  
25 rehabilitation or restoration, as determined by the court, the offender shall also  
26 be required to restore or compensate for the restoration of the damage:  
27 *Provided, further*, That the court shall order the eviction of the offender from  
28 the land and the forfeiture in favor of the government of all minerals, timber or  
29 any species collected or removed including all equipment, devices and

1 firearms used in connection therewith, and any construction or improvement  
2 made thereon by the offender. If the offender is an association or a  
3 corporation, the president or manager shall be directly responsible for the acts  
4 of employees and laborers: *Provided, finally*, That for such offenses, the  
5 DENR may conduct separate administrative proceedings against the offender  
6 and impose the corresponding fines and penalties in accordance with the law.

7 CHAPTER V

8 THE PROTECTED AREA FUND AND INCENTIVES FOR DONATIONS

9 AND BEQUESTS

10 SEC. 18. *The Pasonanca Natural Park Fund.* – There is hereby  
11 established a trust fund to be known as the Pasonanca Natural Park Fund  
12 (PNPF) for purposes of financing the projects of the protected area. All  
13 income generated from the operation or the management of wild flora and  
14 fauna in the protected area shall accrue to the PNPF. These income shall be  
15 derived from visitors/tourists fee, fees from permitted sale and export of flora  
16 and fauna and other resources from the protected area, proceeds from the  
17 registration and lease of multiple-use areas, including tourism concessions,  
18 contributions from industries and facilities directly benefiting from the  
19 protected area, and such other fees and income derived from the operation of  
20 the protected area.

21 The PAMB shall retain seventy-five percent (75%) of all revenues  
22 raised, to be deposited in any government bank within the locality; and that  
23 disbursements shall be made solely for the protection, maintenance,  
24 administration and management of the area and implementation of duly  
25 approved projects endorsed by the PAMB in accordance with existing  
26 accounting, budgeting and auditing rules and regulations: *Provided*, That the  
27 Fund shall not be used to cover personal services expenditures.

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

5 The local government units (LGUs) shall continue to impose and  
6 collect all other fees not enumerated herein which they have traditionally  
7 collected, such as business permits, property tax and rentals of LGUs'  
8 facilities. Furthermore, LGUs may charge add-ons to fees imposed by the  
9 PAMB: *Provided*, That such add-ons shall be determined based on the  
10 contribution of the LGUs in the maintenance and protection of the  
11 Pasonanca Natural Park.

12 SEC. 19. *Tax Exemption.* – The Fund may be augmented by grants,  
13 donations and endowment from various domestic or foreign sources.  
14 Any donation or bequest made to the Pasonanca Natural Park Fund shall be  
15 exempt from donor's tax and the same shall be considered as allowable  
16 deduction from the gross income of the donor, in accordance with the  
17 provisions of the National Internal Revenue Code of 1997, as amended.  
18 The Fund may be augmented by grants, donations and endowment from  
19 various domestic or foreign sources.

## 20 CHAPTER VI

### 21 EXISTING FACILITIES, UTILIZATION OF RESOURCES, ENVIRONMENTAL IMPACT 22 ASSESSMENT AND PARTNERSHIPS

23 SEC. 20. *Existing Facilities Within the Protected Area.* – Existing  
24 facilities, if any, within the Pasonanca Natural Park shall be inventoried and  
25 assessed by the PAMB in accordance with the objectives of this Act. Within  
26 thirty (30) days from the effectivity of this Act, unless extended by the  
27 PAMB, all commercial facilities existing within the boundaries of the  
28 protected area with a total capitalization of not less than one hundred



1 thousand pesos (P100,000.00) shall submit to the PAMB, through the PASu,  
2 a sworn statement containing the following information:

3 (a) Environmental Impact Assessment and/or Environmental  
4 Management Plan;

5 (b) Environmental Compliance Certificate; and

6 (c) Development Plan.

7 Based on these submissions, the PAMB, with the assistance of the  
8 DENR, shall determine whether the existence of such facilities and their  
9 future plans and operations are detrimental to the Pasonanca Natural Park.  
10 Failure to submit the required information shall constitute a violation  
11 of this Act, punishable after proper administrative proceedings, by  
12 expulsion from the area.

13 The PAMB may prescribe conditions for the operation of the facilities  
14 to ensure that these do not conflict with management objectives. If any of  
15 such conditions is violated, a fine shall be imposed by the PAMB.  
16 The PAMB, through the PASu or other deputized government entities, is  
17 hereby authorized to cause the immediate cessation and demolition of any  
18 facility within the Pasonanca Natural Park whose continued operation is  
19 deemed detrimental to the area. The cost of the demolition shall be borne by  
20 the owners or operators of these facilities.

21 The removal of existing facilities which provide basic services and  
22 amenities to the public shall require the concurrence of the City Government  
23 of Zamboanga, consistent with the responsibility of the local government to  
24 secure the welfare of its constituents.

25 Existing facilities within the Pasonanca Natural Park may be charged  
26 reasonable fees by the PAMB, subject to the DENR approval, pursuant to  
27 Section 10(f) of the NIPAS Act, based on the extent of their impact on the  
28 environment and biodiversity. All income derived from such fees shall accrue  
29 to the PNPF.

1           SEC. 21. *Utilization of Nonrenewable Resources.* – Any exploration  
2 for, or exploitation or utilization of nonrenewable resources within the  
3 Pasonanca Natural Park shall not be allowed.

4           SEC. 22. *Environmental Impact Assessment System.* – Existing laws,  
5 rules and regulations relating to EIA shall apply to all projects and activities  
6 intended in the Pasonanca Natural Park. The issuance of the Environmental  
7 Compliance Certificate or its exemptions shall be undertaken in coordination  
8 with the PAMB.

9           SEC. 23. *Partnerships.* – For the purpose of attaining the objectives  
10 of this Act, other government agencies or offices, NGOs and POs and their  
11 personnel shall continuously foster and develop strong and true partnerships.

12           All NGOs, POs and private entities implementing any park  
13 conservation, protection and development program must be accredited by the  
14 City Government of Zamboanga and the DENR.

15           SEC. 24. *Roles of National Agencies and the Local Government Unit*  
16 *Concerned.* – The City Government of Zamboanga and relevant national  
17 agencies represented in the PAMB shall have the following roles:

18           (a) Apprise their respective constituents, office or sector on activities  
19 and programs for the protected area;

20           (b) Ensure consistency in the implementation of all activities in the  
21 protected area;

22           (c) Assist the PAMB in the implementation of the overall park  
23 programs, including the imposition, collection and utilization of park fees,  
24 enforcement of policies, rules and regulations and other similar activities;

25           (d) Accredite POs, NGOs and other entities and groups involved in the  
26 activities within the protected area; and

27           (e) Provide the PAMB with relevant information and data for the  
28 effective management of the protected area.



1        . SEC. 29. *Repealing Clause.* – All laws, rules and regulations  
2 inconsistent with this Act are hereby repealed or modified accordingly.

3        SEC. 30. *Effectivity.* – This Act shall take effect fifteen (15) days  
4 after its publication in the *Official Gazette* or in a newspaper of general  
5 circulation readily available in and around the scope specified herein. It shall  
6 likewise be posted in a conspicuous place at the City Hall of Zamboanga  
7 and in the barangay halls concerned where the protected area is located  
8 and in other places frequented by the public.

Approved,

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