



## HOUSE OF REPRESENTATIVES

H. No. 6772

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BY REPRESENTATIVES BATOCABE, GARBIN, RAMIREZ-SATO, ROMERO, CO, SARMIENTO (C.), BRAVO (M.V.), SALCEDA, PANGANIBAN, ABAYON, MANALO, PRIMICIAS-AGABAS, GONZALEZ, UY (J.), ESCUDERO, DALIPE, ACHARON, RODRIGUEZ (I.), DIMAPORO (A.), SALIMBANGON, CARI, COLLANTES, OLIVAREZ, AMATONG, PALMA, TOLENTINO, BORDADO, CUEVA, DE VENECIA, MADRONA, MARQUEZ, ACOP, SINGSON, DELOSO-MONTALLA, ERMITA-BUHAIN, NOLASCO, BELMONTE (J.C.), PIMENTEL, RAMOS, ABAYA, ZAMORA (M.C.), SAHALI, FUENTEBELLA, GOMEZ, UNABIA, NAVA, YAP (A.), ACOSTA-ALBA, AGLIPAY-VILLAR, AUMENTADO, BELMONTE (R.), BIAZON, LOBREGAT, LANETE, GO (A.C.), DIMAPORO (M.K.), LAOGAN, BAG-AO, YU, GO (M.), HOFER, TAN (A.), SUANSING (E.), MONTORO, SACDALAN, TUGNA, ALMONTE, VILLARIN, BENITEZ, TEJADA, BATAOIL, ALONTE, LACSON, SALON, TY, NOGRALES (K.A.), CUA, FARIÑAS, BONDOC, DEFENSOR, MERCADO, GONZALES (A.D.), NOEL, GULLAS, GONZALES (A.P.), MATUGAS, SAVELLANO, GARIN (R.), LOPEZ (B.), ORTEGA (V.N.), GARCIA (J.E.), HERRERA-DY, ROA-PUNO, ATIENZA, DE VERA, BRAVO (A.), CAMPOS, MARCOLETA, TAMBUNTING, ANGARA-CASTILLO AND SY-ALVARADO, PER COMMITTEE REPORT NO. 509

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AN ACT ENSURING THE PRESERVATION AND MANAGEMENT OF PROTECTED AREAS, AMENDING FOR THE PURPOSE REPUBLIC ACT NO. 7586, OTHERWISE KNOWN AS THE "NATIONAL INTEGRATED PROTECTED AREAS SYSTEM ACT OF 1992"

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

SECTION 1. Section 2 of Republic Act No. 7586 is hereby amended to read as follows:

"SEC. 2. *Declaration of Policy.* — Cognizant of the profound impact of [man's] HUMAN activities [on all components of the natural environment] particularly the effect of increasing population, resource exploitation and industrial advancement ON ALL COMPONENTS OF THE NATURAL ENVIRONMENT and recognizing the critical importance of protecting and maintaining the natural biological and physical diversities of the environment notably on areas with biologically unique features to sustain human life and development, as well as plant and animal life, it is hereby declared the policy of the State to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution.

"It is hereby recognized that these areas, although distinct in features, possess common ecological values that may be incorporated into a holistic plan [representative of] TO PRESERVE our natural heritage; that effective administration of these areas is possible only through cooperation among THE

1 national government, local governments [and]  
2 concerned NONGOVERNMENT ORGANIZATIONS,  
3 private organizations, AND LOCAL COMMUNITIES;  
4 that the use and enjoyment of these protected areas  
5 must be consistent with the principles of biological  
6 diversity and sustainable development.

7 "To this end, there is hereby established a National  
8 Integrated Protected Areas System (NIPAS), which shall  
9 encompass [outstandingly remarkable] ECOLOGICALLY  
10 RICH AND UNIQUE areas and biologically important public  
11 lands that are habitats of rare and [endangered]  
12 THREATENED species of plants and animals,  
13 biogeographic zones, and related ecosystems, whether  
14 terrestrial, wetland or marine, all of which shall be  
15 designated as ["protected areas"] (PA). THE SYSTEM  
16 SHALL RECOGNIZE EXISTING CONSERVATION AREAS AND  
17 THE MANAGEMENT REGIMES BEING IMPLEMENTED  
18 BY LOCAL GOVERNMENT UNITS (LGUs), LOCAL  
19 COMMUNITIES AND INDIGENOUS PEOPLES (IPs), AND  
20 AUGMENT THESE INITIATIVES WHEN NECESSARY.

21 "THE STATE SHALL ENSURE THE FULL  
22 IMPLEMENTATION OF THIS ACT, THE MOBILIZATION OF  
23 RESOURCES FOR THE INSTITUTIONAL MECHANISMS  
24 HEREIN ESTABLISHED, AND THE FULL SCIENTIFIC AND  
25 TECHNICAL SUPPORT NEEDED FOR THE CONSERVATION  
26 OF BIODIVERSITY AND THE INTEGRITY OF THE  
27 ECOSYSTEMS, CULTURE AND INDIGENOUS PRACTICES."

28 SEC. 2. Section 4 of Republic Act No. 7586 is hereby amended  
29 as to delete the provisions, and in lieu thereof, insert the following:

1           "SEC. 4. *DEFINITION OF TERMS.* - FOR PURPOSES  
2 OF THIS ACT, THE FOLLOWING TERMS SHALL BE DEFINED  
3 AS FOLLOWS:

4           "(A) *BIOPROSPECTING* REFERS TO THE  
5 RESEARCH, COLLECTION, AND UTILIZATION OF  
6 BIOLOGICAL AND GENETIC RESOURCES FOR  
7 PURPOSES OF APPLYING THE KNOWLEDGE  
8 DERIVED THEREFROM SOLELY FOR COMMERCIAL  
9 PURPOSES;

10          "(B) *BUFFER ZONES* REFER TO IDENTIFIED AREAS  
11 OUTSIDE THE BOUNDARIES OF AND IMMEDIATELY  
12 ADJACENT TO DESIGNATED PROTECTED AREAS THAT  
13 NEED SPECIAL DEVELOPMENT CONTROL IN ORDER TO  
14 AVOID OR MINIMIZE HARM TO THE PROTECTED AREA;

15          "(C) *BY-PRODUCTS* OR *DERIVATIVES* REFER TO  
16 PARTS TAKEN OR SUBSTANCES EXTRACTED FROM  
17 WILDLIFE, IN RAW OR IN PROCESSED FORM;

18          "(D) *COLLECTING* REFERS TO THE ACT OF  
19 GATHERING OR HARVESTING WILDLIFE AND ITS  
20 BY-PRODUCTS OR DERIVATIVES;

21          "(E) *CONVEYANCE* REFERS TO EVERY KIND OF  
22 VESSEL, INCLUDING MOTORIZED OR NONMOTORIZED  
23 VEHICLES, NONDISPLACEMENT CRAFTS AND SEAPLANES  
24 THAT ARE USED OR MAY BE USED AS A MEANS OF  
25 TRANSPORTATION ON LAND OR WATER. IT SHALL  
26 INCLUDE EVERYTHING FOUND THEREIN, EXCEPT  
27 PERSONAL EFFECTS;

28          "(F) *DELINEATION* REFERS TO THE ACTUAL  
29 GROUND SURVEY OF THE BOUNDARIES OF PROTECTED  
30 AREAS AND THEIR BUFFER ZONES AND MANAGEMENT AND  
31 MANAGEMENT ZONES USING THE GLOBAL POSITIONING  
32 SYSTEM (GPS) OR OTHER APPLICABLE SURVEY

INSTRUMENTS AND TECHNOLOGIES, WITH THE INTENTION  
OF PRODUCING A MAP OF THE AREA;

"(G) *DEMARCATIION* REFERS TO THE  
ESTABLISHMENT OF THE BOUNDARIES OF PROTECTED  
AREAS AND THEIR BUFFER ZONES USING VISIBLE  
MARKERS, MONUMENTS, BUOYS IN CASE OF MARINE  
AREAS, AND KNOWN NATURAL FEATURES AND  
LANDMARKS, AMONG OTHERS, AS A RESULT OF THE  
ACTUAL GROUND DELINEATION;

"(H) *ECOSYSTEM GOODS AND SERVICES* REFER TO  
THE MULTITUDE OF MATERIAL AND NONMATERIAL  
PROVISIONS AND BENEFITS FROM HEALTHY  
ECOSYSTEMS NECESSARY FOR HUMAN SUSTENANCE,  
WELL-BEING, AND SURVIVAL INCLUDING SUPPORT  
PROCESSES, PROVISIONING AND ENVIRONMENT  
REGULATING SERVICES, AND CULTURAL RESOURCE  
PRESERVATION SERVICES;

"(I) *ENDEMIC SPECIES* REFER TO THE SPECIES OR  
SUBSPECIES OF FLORA AND FAUNA WHICH ARE  
NATURALLY OCCURRING AND FOUND WITHIN SPECIFIC  
AREAS IN THE COUNTRY;

"(J) *EXOTIC SPECIES* REFER TO THE SPECIES OR  
SUBSPECIES OF FLORA AND FAUNA WHICH DO NOT  
NATURALLY OCCUR WITHIN THE PROTECTED AREA AT  
PRESENT OR IN HISTORICAL TIME;

"(K) *EXPLORATION* REFERS TO THE ACT OF  
SEARCHING OR PROSPECTING FOR MINERAL RESOURCES,  
AS DEFINED BY LAW, BY GEOLOGICAL, GEOCHEMICAL OR  
GEOPHYSICAL SURVEYS, REMOTE SENSING, TEST PITTING,  
TRENCHING, DRILLING, SHAFT SINKING, TUNNELING OR  
ANY OTHER MEANS, FOR THE PURPOSE OF DETERMINING

1 THE EXISTENCE, EXTENT, QUANTITY, AND QUALITY OF  
2 RESOURCES IN AN AREA, AND THE FEASIBILITY OF  
3 UTILIZING THESE RESOURCES FOR PROFIT;

4 "(L) GEAR REFERS TO ANY INSTRUMENT OR  
5 DEVICE AND ITS ACCESSORIES UTILIZED IN TAKING,  
6 CATCHING, GATHERING, KILLING, HUNTING, DESTROYING,  
7 DISTURBING, REMOVING, OR POSSESSING RESOURCES  
8 WITHIN THE PROTECTED AREA;

9 "(M) *GENETICALLY MODIFIED ORGANISM (GMO)*  
10 REFERS TO ANY LIVING ORGANISM THAT POSSESSES A  
11 NOVEL COMBINATION OF GENETIC MATERIAL THROUGH  
12 THE USE OF MODERN BIOTECHNOLOGY;

13 "(N) *HUNTING* REFERS TO THE KILLING OR  
14 CATCHING OF WILD FAUNA FOR FOOD AND RECREATIONAL  
15 PURPOSES, WITH THE USE OF WEAPONS SUCH AS GUNS,  
16 BOW AND ARROW, SPEARS, TRAPS AND SNARES, AND THE  
17 LIKE;

18 "(O) *INDIGENOUS CULTURAL COMMUNITY (ICC)*  
19 REFERS TO A GROUP OF PEOPLE SHARING COMMON  
20 BONDS OF LANGUAGE, CUSTOMS, TRADITIONS, AND  
21 OTHER DISTINCTIVE CULTURAL TRAITS, AND WHO HAVE,  
22 SINCE TIME IMMEMORIAL OCCUPIED, POSSESSED, AND  
23 UTILIZED A TERRITORY;

24 "(P) *INTEGRATED PROTECTED AREA FUND*  
25 (*IPAF*) REFERS TO THE SPECIAL ACCOUNT ESTABLISHED  
26 FOR THE PURPOSE OF FINANCING PROJECTS OF THE  
27 NIPAS AND INDIVIDUAL PROTECTED AREAS;

28 "(Q) *INVASIVE ALIEN SPECIES* REFER  
29 TO SPECIES INTRODUCED DELIBERATELY OR  
30 UNINTENTIONALLY OUTSIDE THEIR NATURAL HABITATS  
31 WHERE THEY HAVE THE ABILITY TO ESTABLISH

1 THEMSELVES, INVADE, OUTCOMPETE NATIVE SPECIES,  
2 AND TAKE OVER THE NEW ENVIRONMENT;

3 "(R) *KAINGIN* REFERS TO THE SLASH-AND-BURN  
4 CULTIVATION OF VEGETATED LAND IN A PROTECTED  
5 AREA, WHETHER OCCUPIED OR NOT, SHIFTING AND  
6 PERMANENT WITH LITTLE OR NO PROVISION TO PREVENT  
7 SOIL EROSION;

8 "(S) *MULTIPLE-USE ZONE* REFERS TO THE AREA  
9 WHERE SETTLEMENT, TRADITIONAL AND SUSTAINABLE  
10 LAND USE INCLUDING AGRICULTURE, AGROFORESTRY,  
11 EXTRACTION ACTIVITIES, AND INCOME GENERATING OR  
12 LIVELIHOOD ACTIVITIES MAY BE ALLOWED TO THE  
13 EXTENT PRESCRIBED IN THE PROTECTED AREA  
14 MANAGEMENT PLAN;

15 "(T) *NATIONAL INTEGRATED PROTECTED AREAS*  
16 *SYSTEM (NIPAS)* REFERS TO THE CLASSIFICATION AND  
17 ADMINISTRATION OF ALL DESIGNATED PROTECTED AREAS  
18 TO MAINTAIN ESSENTIAL ECOLOGICAL PROCESSES AND  
19 LIFE-SUPPORT SYSTEMS, TO PRESERVE GENETIC  
20 DIVERSITY, TO ENSURE SUSTAINABLE USE OF RESOURCES  
21 FOUND THEREIN, AND TO MAINTAIN THEIR NATURAL  
22 CONDITIONS TO THE GREATEST EXTENT POSSIBLE;

23 "(U) *NATURAL MONUMENT* REFERS TO A  
24 RELATIVELY SMALL AREA FOCUSED ON THE PROTECTION  
25 OF SMALL FEATURES TO PROTECT OR PRESERVE  
26 NATIONALLY SIGNIFICANT NATURAL FEATURES ON  
27 ACCOUNT OF THEIR SPECIAL INTEREST OR UNIQUE  
28 CHARACTERISTICS;

29 "(V) *NATIONAL PARK* REFERS TO THE LANDS OF  
30 THE PUBLIC DOMAIN CLASSIFIED AS SUCH IN THE  
31 CONSTITUTION WHICH INCLUDE ALL AREAS UNDER THE  
32 NIPAS PURSUANT TO THIS ACT, PRIMARILY DESIGNATED

1 FOR THE CONSERVATION OF NATIVE PLANTS AND  
2 ANIMALS, THEIR ASSOCIATED HABITATS AND CULTURAL  
3 DIVERSITY;

4 “(w) *NATURAL BIOTIC AREA* REFERS TO AN AREA  
5 SET ASIDE TO ALLOW THE WAY OF LIFE OF SOCIETIES  
6 LIVING IN HARMONY WITH THE ENVIRONMENT TO ADAPT  
7 TO MODERN TECHNOLOGY AT THEIR PACE;

8 “(x) *NATURAL PARK* REFERS TO A RELATIVELY  
9 LARGE AREA NOT MATERIALLY ALTERED BY HUMAN  
10 ACTIVITY, WHERE EXTRACTIVE RESOURCE USES ARE  
11 NOT ALLOWED AND IS MAINTAINED TO PROTECT  
12 OUTSTANDING NATURAL AND SCENIC AREAS OF  
13 NATIONAL OR INTERNATIONAL SIGNIFICANCE FOR  
14 SCIENTIFIC, EDUCATIONAL, AND RECREATIONAL USE;

15 “(y) *OCCUPYING* REFERS TO A CONTINUOUS STAY  
16 OF INDIVIDUALS OR GROUPS WITHIN A PROTECTED AREA,  
17 WHETHER RESIDING OR ENGAGING IN THE CULTIVATION  
18 OF LAND OR FISHING FOR MORE THAN TWENTY-FOUR (24)  
19 HOURS;

20 “(z) *POACHING* REFERS TO GATHERING,  
21 COLLECTING, OR POSSESSING PRODUCTS OR NATURAL  
22 RESOURCES FROM THE PROTECTED AREA BY ANY  
23 INDIVIDUAL PERSON, CORPORATION OR ENTITY WHETHER  
24 LOCAL OR FOREIGN; IN THE CASE OF MARINE PROTECTED  
25 AREAS, OPERATING ANY FOREIGN FISHING VESSELS BY  
26 ANY PERSON, CORPORATION, OR ENTITY WITHOUT A  
27 PERMIT;

28 “(aa) *PROTECTED AREA* REFERS TO IDENTIFIED  
29 PORTIONS OF LAND AND/OR WATER SET ASIDE BY REASON  
30 OF THEIR UNIQUE PHYSICAL AND BIOLOGICAL  
31 SIGNIFICANCE, MANAGED TO ENHANCE BIOLOGICAL

1 DIVERSITY AND PROTECTED AGAINST DESTRUCTIVE  
2 HUMAN EXPLOITATION;

3 “(BB) *PROTECTED AREA OCCUPANTS* REFER TO  
4 PERSONS WHO ARE RESIDING, UTILIZING, AND  
5 CULTIVATING AREAS WITHIN THE PROTECTED AREA.  
6 THESE INCLUDE PRIVATE OWNERS, IPS, TENURED  
7 MIGRANTS AND INFORMAL SETTLERS;

8 “(CC) *PROTECTED AREA RETAINED INCOME*  
9 *ACCOUNT* REFERS TO THE TRUST FUND MAINTAINED BY  
10 ANY PROTECTED AREA AND ADMINISTERED BY THE  
11 RESPECTIVE PROTECTED AREA MANAGEMENT BOARDS  
12 (PAMB) CREATED PURSUANT TO THIS ACT  
13 REPRESENTING THE SEVENTY-FIVE PERCENT (75%)  
14 OF REVENUES GENERATED FROM THE PROTECTED  
15 AREA TO SUPPORT ITS OPERATION AND MANAGEMENT;

16 “(DD) *PROTECTED LANDSCAPES AND/OR*  
17 *SEASCAPES* REFER TO AREAS OF NATIONAL  
18 SIGNIFICANCE WHICH ARE CHARACTERIZED BY THE  
19 HARMONIOUS INTERACTION OF MAN, LAND AND  
20 WATER WHILE PROVIDING OPPORTUNITIES FOR  
21 PUBLIC ENJOYMENT THROUGH RECREATION, TOURISM  
22 AND OTHER ECONOMIC ACTIVITIES;

23 “(EE) *PROTECTED SPECIES* REFER TO PLANTS OR  
24 ANIMALS DECLARED PROTECTED UNDER PHILIPPINE  
25 LAWS, RULES, AND REGULATIONS. THESE SHALL  
26 INCLUDE ALL SPECIES LISTED UNDER THE  
27 CONVENTION ON INTERNATIONAL TRADE IN  
28 ENDANGERED SPECIES OF WILD FAUNA AND FLORA  
29 AND ALL ITS ANNEXES, THE CONVENTION ON THE  
30 CONSERVATION OF MIGRATORY SPECIES (CMS), THOSE  
31 SPECIFIED UNDER THE RED-LIST CATEGORIES OF

1 THE INTERNATIONAL UNION FOR CONSERVATION OF  
2 NATURE AND NATURAL RESOURCES (IUCN), OR ANY  
3 PLANT OR ANIMAL WHICH THE DEPARTMENT OF  
4 ENVIRONMENT AND NATURAL RESOURCES (DENR),  
5 PAMB OR ANY GOVERNMENT AGENCY MAY DEEM  
6 NECESSARY FOR CONSERVATION AND PRESERVATION IN  
7 THE PROTECTED AREA;

8 "(FF) *QUARRYING* REFERS TO THE PROCESS OF  
9 EXTRACTING, REMOVING, AND DISPOSING SAND, GRAVEL,  
10 GUANO, LIMESTONE, AND ALL OTHER RESOURCES USED AS  
11 BUILDING AND CONSTRUCTION MATERIALS THAT ARE  
12 FOUND WITHIN THE PROTECTED AREA;

13 "(GG) *RESOURCE RESERVE* REFERS TO AN  
14 EXTENSIVE, RELATIVELY ISOLATED, AND UNINHABITED  
15 AREA WHICH IS DIFFICULT TO ACCESS AND IS DESIGNATED  
16 TO PROTECT THE NATURAL RESOURCES OF THE AREA FOR  
17 FUTURE USE AND PREVENT OR CONTAIN DEVELOPMENT  
18 ACTIVITIES THAT COULD AFFECT THE RESOURCES,  
19 PENDING THE ESTABLISHMENT OF SUSTAINABLE  
20 RESOURCE UTILIZATION GOALS WHICH ARE BASED UPON  
21 APPROPRIATE INFORMATION AND PLANNING;

22 "(HH) *SPECIAL ACCOUNT IN THE GENERAL FUND*  
23 *(SAGF)* REFERS TO THE TRUST FUND DEPOSITED IN THE  
24 NATIONAL TREASURY REPRESENTING THE TWENTY-FIVE  
25 PERCENT (25%) OF THE REVENUES GENERATED FROM  
26 THE OPERATION OF INDIVIDUAL PROTECTED AREA AND  
27 EARMARKED TO SUPPORT THE NIPAS;

28 "(II) *STRICT NATURE RESERVE* REFERS TO AN  
29 AREA POSSESSING SOME OUTSTANDING ECOSYSTEM,  
30 FEATURES, AND SPECIES OF FLORA AND FAUNA OF  
31 NATIONAL SCIENTIFIC IMPORTANCE THAT SHOULD BE

1 MAINTAINED TO PROTECT AND PRESERVE NATURE IN ITS  
2 UNDISTURBED STATE AND TO PRESERVE ECOLOGICALLY  
3 REPRESENTATIVE EXAMPLES OF THE NATURAL  
4 ENVIRONMENT TO ENSURE THEIR AVAILABILITY FOR  
5 SCIENTIFIC STUDY, ENVIRONMENTAL MONITORING,  
6 EDUCATION, AND FOR THE MAINTENANCE OF GENETIC  
7 RESOURCES IN A DYNAMIC AND EVOLUTIONARY STATE;

8 "(JJ) *TENURED MIGRANTS* REFER TO PROTECTED  
9 AREA OCCUPANTS WHO HAVE BEEN ACTUALLY AND  
10 CONTINUOUSLY OCCUPYING PORTION OF THE PROTECTED  
11 AREA FOR FIVE (5) YEARS BEFORE THE ESTABLISHMENT  
12 OF THE SAME AS A PROTECTED AREA, AND ARE SOLELY  
13 DEPENDENT THEREIN FOR SUBSISTENCE;

14 "(KK) *THREATENED SPECIES* REFER TO SPECIES OR  
15 SUBSPECIES CONSIDERED CRITICALLY ENDANGERED,  
16 VULNERABLE, OR OTHER ACCEPTED CATEGORIES OF  
17 WILDLIFE WHOSE POPULATION IS AT RISK OF EXTINCTION;

18 "(LL) *WILDLIFE* REFERS TO THE WILD FORMS AND  
19 VARIETIES OF FLORA AND FAUNA, IN ALL  
20 DEVELOPMENTAL STAGES, INCLUDING THOSE WHICH  
21 ARE IN CAPTIVITY OR ARE BEING BRED, FED, OR  
22 PROPAGATED; AND

23 "(MM) *WILDLIFE SANCTUARY* REFERS TO AN AREA  
24 WHICH ASSURES THE NATURAL CONDITIONS NECESSARY  
25 TO PROTECT NATIONALLY SIGNIFICANT SPECIES, GROUPS  
26 OF SPECIES, BIOTIC COMMUNITIES OR PHYSICAL  
27 FEATURES OF THE ENVIRONMENT WHICH MAY REQUIRE  
28 SPECIFIC HUMAN MANIPULATIONS FOR THEIR  
29 PERPETUATION."

1           SEC. 3. Section 5 of Republic Act No. 7586 is hereby amended  
2 to read as follows:

3           "SEC. 5. *Establishment and Extent of the System.* –  
4 The establishment and operationalization of the System  
5 shall involve the following:

6           "(a) All areas or islands in the Philippines  
7 proclaimed, designated or set aside, pursuant to a law,  
8 presidential decree, presidential proclamation or  
9 executive order as national park, game refuge, bird and  
10 wildlife sanctuary, wilderness area, strict nature reserve,  
11 watershed, mangrove reserve, fish sanctuary, natural and  
12 historical landmark, protected and managed  
13 landscape/seascape as well as [identified virgin] OLD  
14 GROWTH forests IDENTIFIED before the effectivity of this  
15 Act OR STILL TO BE IDENTIFIED, are hereby designated as  
16 initial components of the System. The initial components  
17 of the System shall be governed by existing laws, rules  
18 and regulations, not inconsistent with this Act.

19           "(A.1) ESTABLISHMENT AS PROTECTED AREAS. –  
20 ASIDE FROM THE AREAS ALREADY DECLARED AS  
21 PROTECTED AREAS THROUGH ACTS OF CONGRESS, THE  
22 FOLLOWING PARCELS OF LAND ARE HEREBY ESTABLISHED  
23 AS PROTECTED AREAS WITH THE CLASSIFICATION OF  
24 NATIONAL PARK PURSUANT TO THE PHILIPPINE  
25 CONSTITUTION:

	"PROTECTED AREA	AREA (IN HECTARES)	PROVINCE
1	"REGION I		
2	(1) AGOO		
3	DAMORTIS		
4	PROTECTED		
5	LANDSCAPE		
6	AND SEASCAPE	10,774.68	LA UNION
7	(2) BESSANG PASS		
8	NATURAL		
9	MONUMENT/		
10	LANDMARK	581.05	ILOCOS SUR
11	(3) BIGBIGA		
12	PROTECTED		
13	LANDSCAPE	142.87	ILOCOS SUR
14	(4) KALBARIO-		
15	PATAPAT		
16	NATURAL PARK	3,903.19	ILOCOS NORTE
17	(5) LIBUNAO		
18	PROTECTED		
19	LANDSCAPE	47.15	ILOCOS NORTE
20	(6) LIDLIDDABAN		
21	AYOYO		
22	PROTECTED		
23	LANDSCAPE	1,042.29	ILOCOS SUR
24	(7) MANLELUAG		
25	SPRING		
26	PROTECTED		
27	LANDSCAPE	1,938.83	PANGASINAN
28			

1	(8) SALCEDO		
2	PROTECTED		
3	LANDSCAPE		
4	(FORMERLY		
5	STA. LUCIA		
6	PROTECTED		
7	LANDSCAPE)	196.33	ILOCOS SUR
8	"REGION 2		
9	(9) CASECNAN		QUIRINO,
10	PROTECTED		NUEVA VIZCAYA,
11	LANDSCAPE	86,246.77	AURORA
12	(10) PALAUI		
13	ISLAND		
14	PROTECTED		
15	LANDSCAPE		
16	AND SEASCAPE	8,048.57	CAGAYAN
17	(11) PEÑABLANCA		
18	PROTECTED		
19	LANDSCAPE		
20	AND SEASCAPE	118,653.67	CAGAYAN
21	(12) SALINAS		
22	NATURAL		
23	MONUMENT	5,966.05	NUEVA VIZCAYA
24	(13) TUMAUI		
25	WATERSHED		
26	NATURAL PARK	6,509.38	ISABELA

1	"REGION 3		
2	(14) AMRORIVEL		
3	PROTECTED		
4	LANDSCAPE	6,431.30	AURORA
5	(15) BATAAN		
6	NATIONAL PARK	20,004.17	BATAAN
7	(16) DINADIWAN		
8	RIVER		
9	PROTECTED		
10	LANDSCAPE	3,366.54	AURORA
11	(17) MASINLOC		
12	AND OYON BAY		
13	PROTECTED		
14	LANDSCAPE		
15	AND SEASCAPE	7,558.00	ZAMBALES
16	(18) ROOSEVELT		
17	PROTECTED		
18	LANDSCAPE	950.43	BATAAN
19	(19) SIMBAHANTA		
20	LAGAS		
21	PROTECTED		
22	LANDSCAPE	2,284.30	AURORA
23	(20) TALAYTAY		
24	PROTECTED		
25	LANDSCAPE	3,598.31	AURORA

1	"NCR		
2	(21) LAS PIÑAS-		
3	PARAÑAQUE		
4	CRITICAL		
5	HABITAT AND		
6	ECOTOURISM		LAS PIÑAS
7	AREA (LPPCHEA)	181.63	AND PARAÑAQUE
8	(22) NINOY		
9	AQUINO		
10	PARKS AND WILDLIFE	23.85	QUEZON CITY
11	"REGION 4A		
12	(23) BUENAVISTA		
13	PROTECTED		
14	LANDSCAPE	287.24	QUEZON
15	(24) HINULUGANG		
16	TAKTAK		
17	PROTECTED		
18	LANDSCAPE	3.58	RIZAL
19	(25) MAULAWIN		
20	SPRING		
21	PROTECTED		
22	LANDSCAPE	183.15	QUEZON
23	(26) MTS. PALAYPALAY		
24	AND		
25	MATAAS-NA-GULOD		
26	PROTECTED		BATANGAS
27	LANDSCAPE	3,972.70	AND CAVITE

1	(27) PAMITINAN		
2	PROTECTED		
3	LANDSCAPE	609.15	RIZAL
4	(28) QUEZON		
5	PROTECTED		
6	LANDSCAPE	1,042.85	QUEZON
7	(29) TAAL		
8	VOLCANO		BATANGAS
9	NATURAL PARK	62,292.16	AND CAVITE
10	(30) UPPER		
11	MARIKINA		
12	RIVER BASIN		
13	PROTECTED		
14	LANDSCAPE	26,125.64	RIZAL
15	"REGION 4B		
16	(31) APO REEF		OCCIDENTAL
17	NATURAL PARK	15,799.23	MINDORO
18	(32) MARINDUQUE		
19	WILDLIFE		
20	SANCTUARY	9,758.71	MARINDUQUE
21	(33) MT. CALAVITE		
22	WILDLIFE		OCCIDENTAL
23	SANCTUARY	18,172.69	MINDORO
24	(34) MT. GUITING-GUITING		
25	NATURAL PARK	15,515.22	ROMBLON

1	(35) MTS. IGLIT- BACO		OCCIDENTAL
2	NATURAL		AND ORIENTAL
3	PARK	106,655.62	MINDORO
4	"REGION 5		
5	(36) ABASIG-		
6	MATOGDON-		
7	MANANAP		
8	NATURAL		CAMARINES
9	BIOTIC AREA	5,918.31	NORTE
10	(37) BICOL		
11	NATURAL PARK	5,466.35	CAMARINES SUR
12	(38) BONGSANGLAY		
13	NATURAL PARK	518.90	MASBATE
14	(39) BULUSAN		
15	VOLCANO		
16	NATURAL PARK	3,641.57	SORSOGON
17	(40) CATANDUANES		
18	NATURAL PARK	48,924.09	CATANDUANES
19	(41) LAGONOY		
20	NATURAL		
21	BIOTIC AREA	443.63	CAMARINES SUR
22	(42) MALABUNGOT		
23	PROTECTED		
24	LANDSCAPE	147.71	CAMARINES SUR
25	(43) MT. ISAROG		
26	NATURAL PARK	10,090.89	CAMARINES SUR

1	(44) MT. MAYON		
2	NATURAL PARK	5,327.15	ALBAY
3	(45) SINARAPAN		
4	WILDLIFE		
5	SANCTUARY	1,620.65	CAMARINES SUR
6	(46) TICAO-BURIAS		
7	PASS		
8	PROTECTED		ALBAY, MASBATE
9	SEASCAPE	414,244.00	AND SORSOGON
10	"REGION 6		
11	(47) NORTHWEST		
12	PANAY		
13	PENINSULA		AKLAN AND
14	NATURAL PARK	12,009.29	ANTIQUE
15	(48) SIBALOM		
16	NATURAL PARK	6,778.44	ANTIQUE
17	(49) APO ISLAND		
18	PROTECTED		
19	LANDSCAPE		NEGROS
20	AND SEASCAPE	691.40	ORIENTAL
21	(50) BALINSASAYAO		
22	TWIN LAKES		NEGROS
23	NATURAL PARK	8,016.05	ORIENTAL
24	(51) NORTHERN		
25	NEGROS		NEGROS
26	NATURAL PARK	70,826.16	OCCIDENTAL

1	"REGION 7		
2	(52) ALBURQUERQUE-		
3	LOAY-LOBOC		
4	PROTECTED		
5	LANDSCAPE		
6	AND SEASCAPE	1,165.51	BOHOL
7	(53) CAMOTES		
8	ISLAND		
9	PROTECTED		
10	LANDSCAPE		
11	AND SEASCAPE	1,436.98	CEBU
12	(54) CHOCOLATE		
13	HILLS		
14	NATURAL		
15	MONUMENT	13,994.95	BOHOL
16	(55) OLANGO		
17	ISLAND		
18	WILDLIFE		
19	SANCTUARY	1,382.29	CEBU
20	(56) PANGLAO		
21	ISLAND		
22	PROTECTED		
23	SEASCAPE	2,445.08	BOHOL
24	(57) RAJAH		
25	SIKATUNA		
26	PROTECTED		
27	LANDSCAPE	10,964.64	BOHOL

1	(58) TALIBON		
2	GROUP OF		
3	ISLAND		
4	PROTECTED		
5	LANDSCAPE		
6	AND SEASCAPE	6,446.31	BOHOL
7	(59) TANON STRAIT		CEBU, NEGROS
8	PROTECTED		OCCIDENTAL
9	SEASCAPE	534,589.05	AND ORIENTAL
10	"REGION 8		
11	(60) BIRILAROSA		
12	PROTECTED		
13	LANDSCAPE		NORTHERN
14	AND SEASCAPE	32,284.14	SAMAR
15	(61) CALBAYOG		
16	PAN-AS		
17	HAYIBAN		
18	PROTECTED		
19	LANDSCAPE	5,067.93	SAMAR
20	(62) CUATRO ISLAS		
21	PROTECTED		
22	LANDSCAPE		
23	AND SEASCAPE	11,407.46	LEYTE

1	(63) GUIUAN		
2	MARINE		
3	RESOURCE		
4	PROTECTED		
5	LANDSCAPE		
6	AND SEASCAPE	66,725.26	EASTERN SAMAR
7	(64) LAKE DANA O		
8	NATURAL PARK	2,244.16	LEYTE
9	(65) MAHAGNAO		
10	VOLCANO		
11	NATURAL PARK	340.82	LEYTE
12	(66) SAMAR ISLAND		SAMAR, EASTERN
13	NATURAL		SAMAR AND
14	PARK	335,105.57	NORTHERN SAMAR
15	"REGION 9		
16	(67) ALIGUAY		
17	ISLAND		
18	PROTECTED		
19	LANDSCAPE		
20	AND SEASCAPE	1,188.39	ISABELA
21	(68) BASILAN		
22	NATURAL		
23	BIOTIC AREA	4,545.99	BASILAN
24	(69) BUUG		
25	NATURAL		ZAMBOANGA
26	BIOTIC AREA	1,261.46	SIBUGAY

1	(70) DUMANQUILLAS		
2	BAY PROTECTED		
3	LANDSCAPE		ZAMBOANGA
4	AND SEASCAPE	26,112.21	DEL SUR
5	(71) GREAT AND		
6	LITTLE STA. CRUZ		
7	ISLANDS		
8	PROTECTED		
9	LANDSCAPE		
10	AND SEASCAPE	1,827.16	ZAMBOANGA CITY
11	(72) JOSE RIZAL		
12	MEMORIAL		
13	PROTECTED		ZAMBOANGA
14	LANDSCAPE	474.82	DEL NORTE
15	(73) MT. TIMOLAN		
16	PROTECTED		ZAMBOANGA
17	LANDSCAPE	2,244.54	DEL SUR
18	(74) MURCIELAGOS		
19	PROTECTED		
20	LANDSCAPE		ZAMBOANGA
21	AND SEASCAPE	100.40	DEL NORTE
22	(75) PASONANCA		
23	NATURAL PARK	12,102.08	ZAMBOANGA CITY
24	(76) SELINOG		
25	ISLAND		
26	PROTECTED		
27	LANDSCAPE		ZAMBOANGA
28	AND SEASCAPE	959.41	DEL NORTE

1	(77) SIOCON		
2	RESOURCE		ZAMBOANGA
3	RESERVE	855.59	DEL NORTE
4	(78) TURTLE		
5	ISLANDS		
6	WILDLIFE		
7	SANCTUARY	242,958.29	TAWI-TAWI
8	"REGION 10		
9	(79) BAliANGAO		
10	PROTECTED		
11	LANDSCAPE		MISAMIS
12	AND SEASCAPE	315.50	OCCIDENTAL
13	(80) INITAO-LIBERTAD		
14	PROTECTED		
15	LANDSCAPE		MISAMIS
16	AND SEASCAPE	921.02	ORIENTAL
17	(81) MT. BALATUKAN		
18	RANGE		MISAMIS
19	NATURAL PARK	8,437.86	ORIENTAL
20	(82) MT. INAYAWAN		
21	RANGE		LANAO DEL
22	NATURAL PARK	4,236.18	NORTE
23	(83) MT. KALATUNGAN		
24	RANGE		
25	NATURAL PARK	22,225.11	BUKIDNON
26	(84) MT. TIMPOONG		
27	HIBOK-HIBOK		
28	NATURAL MONUMENT	2,203.39	CAMIGUIN

1	"REGION 11		
2	(85) ALIWAGWAG		DAVAO ORIENTAL
3	PROTECTED		AND COMPOSTELA
4	LANDSCAPE	10,261.06	VALLEY
5	(86) MABINI		
6	PROTECTED		
7	LANDSCAPE		COMPOSTELA
8	AND SEASCAPE	7,292.62	VALLEY
9	(87) MAINIT		
10	HOTSPRING		
11	PROTECTED		COMPOSTELA
12	LANDSCAPE	1,422.63	VALLEY
13	(88) MATI		
14	PROTECTED		
15	LANDSCAPE	884.46	DAVAO ORIENTAL
16	(89) PUJADA BAY		
17	PROTECTED		
18	LANDSCAPE		
19	AND SEASCAPE	20,873.43	DAVAO ORIENTAL
20	"REGION 12		
21	(90) MT. MATUTUM		
22	PROTECTED		SOUTH COTABATO
23	LANDSCAPE	13,947.00	AND SARANGANI
24	(91) SARANGANI		
25	BAY		
26	PROTECTED		
27	LANDSCAPE		GENERAL SANTOS
28	AND SEASCAPE	210,887.69	AND SARANGANI

1 "REGION 13

2 (92) AGUSAN MARSH

3 WILDLIFE

4 SANCTUARY 40,940.96 AGUSAN DEL SUR

5 (93) SIARGAO ISLAND

6 PROTECTED

7 LANDSCAPE SURIGAO DEL

8 AND SEASCAPE 283,974.77 NORTE

9 (94) TINUY-AN FALLS

10 PROTECTED SURIGAO

11 LANDSCAPE 4,321.75 DEL SUR

12  
13 "THE BOUNDARIES AND TECHNICAL DESCRIPTIONS  
14 OF EACH PROTECTED AREA AS DESCRIBED IN THE  
15 ATTACHED ANNEX, WHICH ARE DULY CERTIFIED  
16 ACCURATE ON EVERY PAGE THEREOF BY THE DENR  
17 AND THE NATIONAL MAPPING AND RESOURCE  
18 INFORMATION AUTHORITY (NAMRIA) ARE HEREBY  
19 ADOPTED AND MADE AN INTEGRAL PART HEREOF.

20 "THE DENR, WITH THE ASSISTANCE OF OTHER  
21 GOVERNMENT AGENCIES, IF NECESSARY, SHALL  
22 DELINEATE AND DEMARCATÉ ON THE GROUND THE  
23 BOUNDARIES OF EACH PROTECTED AREA WHICH SHALL  
24 NOT BE MODIFIED EXCEPT BY AN ACT OF CONGRESS.

25 "(A.2.) DECLARATION OF REMAINING ORIGINAL  
26 COMPONENT AREAS INTO PROTECTED AREAS. - WITHIN  
27 THREE (3) YEARS FROM THE EFFECTIVITY OF THIS  
28 ACT, THE DENR SHALL UNDERTAKE THE FOLLOWING  
29 ACTIVITIES IN PREPARATION FOR THE ESTABLISHMENT  
30 OF THE REMAINING INITIAL COMPONENTS AS PROTECTED  
31 AREAS THROUGH AN ACT OF CONGRESS:

1           “(1) PROVIDE       MAPS       AND       TECHNICAL  
2       DESCRIPTIONS OF THE AREAS;

3           “(2) CONDUCT SUITABILITY ASSESSMENT OF THE  
4       AREAS; AND

5           “(3) CONDUCT PUBLIC CONSULTATIONS.

6           “ANY INITIAL COMPONENT THAT DOES NOT SATISFY  
7       THE ABOVEMENTIONED REQUIREMENTS SHALL BE  
8       DISESTABLISHED PURSUANT TO SECTION 7 OF THIS ACT.

9           “(B) ALL DENR RECORDS PERTAINING TO SAID  
10       PROTECTED AREAS, INCLUDING MAPS AND TECHNICAL  
11       DESCRIPTIONS OR NATURAL BOUNDARIES, COPIES OF  
12       RULES AND REGULATIONS GOVERNING THEM, COPIES  
13       OF PUBLIC NOTICES OF, AND REPORTS SUBMITTED  
14       TO CONGRESS REGARDING PENDING ADDITIONS,  
15       ELIMINATIONS, OR MODIFICATIONS SHALL BE MADE  
16       AVAILABLE TO THE PUBLIC. THESE LEGAL DOCUMENTS  
17       PERTAINING TO PROTECTED AREAS SHALL ALSO BE  
18       AVAILABLE TO THE PUBLIC IN THE RESPECTIVE  
19       DENR REGIONAL OFFICES, PROVINCIAL ENVIRONMENT  
20       AND NATURAL RESOURCES OFFICES (PENROs)  
21       AND COMMUNITY ENVIRONMENT AND NATURAL  
22       RESOURCES OFFICES (CENROs) AND PROTECTED  
23       AREA MANAGEMENT OFFICES (PAMOs) WHERE  
24       PROTECTED AREAS ARE LOCATED;

25           “(C) THE DENR SHALL CONDUCT A SUITABILITY  
26       ASSESSMENT FOR EACH OF THE PROPOSED PROTECTED  
27       AREA. IF FOUND SUITABLE FOR INCLUSION IN THE  
28       SYSTEM ACCORDING TO THE CATEGORIES ESTABLISHED IN  
29       SECTION 3 HEREOF, A REPORT CONTAINING THE  
30       FOLLOWING ITEMS SHALL BE SUBMITTED TO THE

1 PRESIDENT AS SOON AS THE STUDY IS COMPLETED, TO  
2 WIT:

3 "(1) A PROTECTED AREA OCCUPANT'S SURVEY;

4 "(2) AN ETHNOGRAPHIC STUDY;

5 "(3) A PROTECTED AREA RESOURCE PROFILE;

6 "(4) LAND AND WATER USE PLANS; AND

7 "(5) OTHER BACKGROUND STUDIES.

8 "(D) IN THE CONDUCT OF PUBLIC CONSULTATION,  
9 THE DENR SHALL:

10 "(1) NOTIFY THE PUBLIC OF PROPOSED ACTION  
11 THROUGH PUBLICATION IN A NEWSPAPER OF GENERAL  
12 CIRCULATION AND SUCH OTHER MEANS INCLUDING  
13 NOTICES TO THE STAKEHOLDERS THAT WILL LIKELY BE  
14 AFFECTED WITHIN THE RESPECTIVE LOCALITIES, THIRTY  
15 (30) DAYS PRIOR TO THE PUBLIC CONSULTATION;

16 "(2) CONDUCT PUBLIC CONSULTATION AT  
17 LOCATIONS NEAR THE PROPOSED PROTECTED AREA;

18 "(3) INVITE ALL LGUs IN THE AFFECTED  
19 AREAS, NATIONAL AGENCIES CONCERNED,  
20 PEOPLE'S ORGANIZATIONS AND NONGOVERNMENTAL  
21 ORGANIZATIONS AND REQUEST FOR CORRESPONDING  
22 POSITION PAPERS; AND

23 "(4) PREPARE RECOMMENDATIONS BASED ON THE  
24 VIEWS AND COMMENTS GATHERED FROM THE PUBLIC  
25 CONSULTATION.

26 "(E) UPON RECEIPT OF THE RECOMMENDATIONS OF  
27 THE DENR, THE PRESIDENT SHALL ISSUE A  
28 PROCLAMATION ESTABLISHING THE PROPOSED  
29 PROTECTED AREAS AND PROVIDING FOR MEASURES FOR  
30 THEIR PROTECTION UNTIL SUCH TIME WHEN CONGRESS  
31 SHALL HAVE ENACTED A LAW FINALLY DECLARING THE  
32 RECOMMENDED AREA AS PART OF THE SYSTEM; AND

1           “(F) UPON COMPLETION OF THE APPROPRIATE  
2 REVIEW, THE PRESIDENT SHALL RECOMMEND TO THE  
3 SENATE AND THE HOUSE OF REPRESENTATIVES  
4 THE DESIGNATION OF PROTECTED AREAS OR  
5 RECLASSIFICATION OF EACH AREA.”

6           SEC. 4. Section 6 of Republic Act No. 7586 is hereby amended  
7 as to delete the provisions, and in lieu thereof, insert the following:

8           “SEC. 6. *ADDITIONAL AREAS TO BE INCLUDED INTO*  
9 *THE SYSTEM.* - UPON THE RECOMMENDATION OF THE  
10 DENR, ADDITIONAL AREAS WITH UNIQUE PHYSICAL  
11 FEATURES, ANTHROPOLOGICAL SIGNIFICANCE AND HIGH  
12 BIOLOGICAL DIVERSITY MAY BE PROPOSED FOR  
13 INCLUSION AS PART OF THE SYSTEM. SUCH AREAS  
14 SHALL UNDERGO THE SAME PROCEDURE AS THE  
15 REMAINING INITIAL COMPONENTS FOR LEGISLATIVE  
16 ENACTMENT.”

17           SEC. 5. Section 8 of Republic Act No. 7586 is hereby amended  
18 to read as follows:

19           “SEC. 8. *Buffer Zones.* - [For each protected area]  
20 WHEN NECESSARY, [there shall be established peripheral  
21 buffer zones when necessary, in the same manner as  
22 Congress establishes the protected area, to protect the  
23 same from activities that will directly and indirectly harm  
24 it] THE PAMB MAY ESTABLISH AREAS SURROUNDING THE  
25 PROTECTED AREAS AS BUFFER ZONES FOR THE PURPOSE  
26 OF PROVIDING EXTRA LAYER OF PROTECTION WHERE  
27 RESTRICTIONS MAY BE APPLIED. Such buffer zones,  
28 WHICH MAY INCLUDE PUBLIC OR PRIVATE LANDS shall be  
29 included in the [individual] protected area management  
30 plan. [that shall be prepared for each protected area. The

1 DENR shall exercise its authority over protected areas as  
2 provided in this Act on such area designated as buffer  
3 zones.]”

4 SEC. 6. Section 9 of Republic Act No. 7586 is hereby amended  
5 to read as follows:

6 “SEC. 9. *Management Plan[s]*. – WITHIN ONE (1)  
7 YEAR FROM THE ESTABLISHMENT OF THE PROTECTED  
8 AREA, [T]here shall be a [general] management  
9 [planning strategy] PLAN FORMULATED FOR EACH  
10 PROTECTED AREA [to] THAT SHALL serve as [guide] THE  
11 BASIC LONG-TERM FRAMEWORK PLAN [in formulating  
12 individual plans for each protected area] FOR THE  
13 MANAGEMENT OF THE PROTECTED AREA AND GUIDE IN  
14 THE PREPARATION OF ITS ANNUAL OPERATIONS PLAN AND  
15 BUDGET.

16 “The management [planning strategy] PLAN shall,  
17 at the minimum, promote the adoption and  
18 implementation of innovative management techniques  
19 including, [if] WHEN necessary, [the concept of] zoning,  
20 buffer zone management[for multiple use and protection],  
21 habitat conservation and rehabilitation, diversity  
22 management, community organizing AND DEVELOPMENT,  
23 socioeconomic and scientific researches, site-specific  
24 policy development, [pest management, and fire control]  
25 CLIMATE CHANGE ADAPTATION AND MITIGATION,  
26 DISASTER RISK REDUCTION AND MANAGEMENT, WASTE  
27 SEWERAGE AND SEPTIC MANAGEMENT, AND GENDER  
28 AND DEVELOPMENT, AMONG OTHERS. [The management

1 planning strategy shall also provide guidelines for the  
 2 protection of indigenous cultural communities, other  
 3 tenured migrant communities and sites and for close  
 4 coordination between and among local agencies of the  
 5 Government as well as the private sector.] THE PLAN  
 6 SHALL BE HARMONIZED WITH THE ANCESTRAL DOMAIN  
 7 SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN  
 8 (ADSDPP) REQUIRED UNDER REPUBLIC ACT NO. 8371,  
 9 OR 'THE INDIGENOUS PEOPLE'S RIGHTS ACT OF 1997',  
 10 THE RESPECTIVE COMPREHENSIVE LAND USE PLANS OF  
 11 LOCAL GOVERNMENTS REQUIRED UNDER REPUBLIC ACT  
 12 NO. 7160 OR THE 'LOCAL GOVERNMENT CODE OF 1991'  
 13 AND OTHER LOCAL PLANS."

14 [Each component area of the System shall be  
 15 planned and administered to further protect and enhance  
 16 the permanent preservation of its natural conditions. A  
 17 management manual shall be formulated and developed  
 18 which must contain the following: an individual  
 19 management plan prepared by three (3) experts, basic  
 20 background information, field inventory of the resources  
 21 within the area, an assessment of assets and limitations,  
 22 regional interrelationships, particular objectives for  
 23 managing the area, appropriate division of the area into  
 24 management zones, a review of the boundaries of the  
 25 area, and a design of the management programs.]

26 SEC. 7. Section 10 of Republic Act No. 7586 is hereby  
 27 amended to read as follows:

28 "SEC. 10. *Administration and Management of the*  
 29 *System.* - The National Integrated Protected Areas

1       System is hereby placed under the control and  
2       administration of the [Department of Environment and  
3       Natural Resources] **DENR THROUGH THE BIODIVERSITY**  
4       **MANAGEMENT BUREAU.** [For this purpose, there is  
5       hereby created a division in the regional offices of the  
6       Department to be called the Protected Areas and Wildlife  
7       Division in regions where protected areas have been  
8       established, which shall be under the supervision of a  
9       Regional Technical Director, and shall include  
10      subordinate officers, clerks, and employees as may be  
11      proposed by the Secretary, duly approved by the  
12      Department of Budget and Management, and  
13      appropriated for by Congress. The Service thus  
14      established shall manage protected areas and promote  
15      the permanent preservation, to the greatest extent  
16      possible, of their natural conditions.]

17               “To carry out the mandate of this Act, the Secretary  
18      of the DENR is empowered to perform [any and all of]  
19      the following acts:

20               “(a) [To conduct studies on various characteristic  
21      features and conditions of the different protected areas,  
22      using commonalities in their characteristics, classify and  
23      define them into categories and prescribe permissible or  
24      prohibited human activities in each category in the  
25      System] **ISSUE A SYSTEM-WIDE SET OF RULES AND**  
26      **REGULATIONS TO IMPLEMENT THE PROVISIONS OF THIS**  
27      **ACT;**

1           “(b) [To adopt and enforce a land-use scheme and  
2           zoning plan in adjoining areas for the preservation and  
3           control of activities that may threaten the ecological  
4           balance in the protected areas] SET STANDARDS,  
5           PROCEDURES, AND PROTOCOLS FOR THE ESTABLISHMENT  
6           AND MANAGEMENT OF PROTECTED AREAS AND THE  
7           SYSTEM, SUCH AS, BUT NOT LIMITED, TO CONDUCT OF  
8           STUDY, ZONING, REVIEW OF PLANS AND PROJECT  
9           PROPOSALS, SPECIFICATIONS AND TYPES OF BUILDINGS  
10          AND OTHER STRUCTURES, AND INSTALLATION OF  
11          UNIFORM MARKERS AND SYMBOLS;

12          “(c) [To cause the preparation of and exercise the  
13          power to review all plans and proposals for the  
14          management of protected areas] DEPUTIZE FIELD  
15          OFFICERS AND OTHER TECHNICAL AND SUPPORT  
16          PERSONNEL;

17          “(d) [To promulgate rules and regulations  
18          necessary to carry out the provisions of this Act]  
19          DETERMINE A SYSTEM-WIDE SET OF FEES AND  
20          CHARGES TO ENSURE SUSTAINABLE FINANCING OF  
21          PROTECTED AREAS AND THE SYSTEM;

22          “(e) [To deputize field officers and delegate any  
23          of his powers under this Act and other laws to  
24          expedite its implementation and enforcement] IMPOSE  
25          ADMINISTRATIVE FINES AND PENALTIES;

26          “(f) [To fix and prescribe reasonable NIPAS fees to  
27          be collected from government agencies or any person, firm  
28          or corporation deriving benefits from the protected areas]

1       REPORT ON THE STATUS OF THE INTEGRATED  
2       PROTECTED AREA FUND (IPAF), ITS COLLECTION OF  
3       FEES, AND DISBURSEMENTS FROM THE IPAF;

4           “(g) [To exact administrative fees and fines as  
5       authorized in Section 21 for violations of guidelines,  
6       rules and regulations of this Act as would endanger  
7       the viability of protected areas] DESIGNATE THE  
8       APPROPRIATE CHAIR OF EACH PAMB;

9           “(h) [To enter] ENTER into contracts and/or  
10       agreements with private entities or public agencies as  
11       may be necessary to carry out the [purposes] OBJECTIVES  
12       of [this Act] THE SYSTEM;

13          “(i) [To accept] ACCEPT in the name of the  
14       Philippine Government and in behalf of NIPAS funds,  
15       gifts or bequests of money for immediate disbursements  
16       or other property in the interest of the NIPAS, its  
17       activities or its services;

18          “(j) [To call] CALL on any agency or  
19       instrumentality of the Government as well as academic  
20       institutions, nongovernment organizations and the  
21       private sector as may be necessary to accomplish the  
22       objectives and activities of the System;

23          “(k) [To submit] SUBMIT an annual report to the  
24       President OF THE REPUBLIC of the Philippines and to  
25       Congress on the status of protected areas in the country;

26          “(l) [To establish a uniform marker for the System,  
27       including an appropriate and distinctive symbol for each  
28       category in the System, in consultation with appropriate

1 government agencies and public and private  
2 organizations] OVERSEE AND SET GUIDELINES IN THE  
3 CONSTRUCTION, OPERATION AND MAINTENANCE OF  
4 ROADS, TRAILS, WATERWORKS, SEWERAGE SYSTEMS,  
5 FIRE PROTECTION, AND SANITATION SYSTEMS AND  
6 OTHER PUBLIC UTILITIES WITHIN THE PROTECTED  
7 AREA;

8       “(m) [To determine the specification of the class,  
9 type and style of buildings and other structures to be  
10 constructed in protected areas and the materials to be  
11 used] WITHIN THE LIMITS ALLOWED BY EXISTING LAWS,  
12 RULES, AND REGULATIONS, ENSURE THAT SETTLEMENT  
13 AREAS INSIDE THE PROTECTED AREA SHALL NOT BE  
14 EXPANDED AND THAT COVERAGE SHALL ONLY BE LIMITED  
15 TO THE ORIGINAL AREA/S OCCUPIED BY TENURED  
16 MIGRANTS AND INDIGENOUS COMMUNITIES; AND

17       “(n) [Control the construction, operation and  
18 maintenance of roads, trails, waterworks, sewerage, fire  
19 protection, and sanitation systems and other public  
20 utilities within the protected area] PERFORM SUCH  
21 OTHER FUNCTIONS AS MAY BE DIRECTED BY THE  
22 PRESIDENT OF THE REPUBLIC OF THE PHILIPPINES, AND  
23 TO DO SUCH ACTS AS MAY BE NECESSARY TO THE  
24 ACCOMPLISHMENT OF THE PURPOSES AND OBJECTIVES  
25 OF THE SYSTEM.”

26       [(o) Control occupancy of suitable portions of the  
27 protected area and resettle outside of said area forest  
28 occupants therein, with the exception of the members of  
29 indigenous communities area; and

1           (p) To perform such other functions as may be  
2       directed by the President of the Philippines, and to do  
3       such acts as may be necessary or incidental to the  
4       accomplishment of the purpose and objectives of the  
5       System.]

6       SEC. 8. Section 11 of Republic Act No. 7586 is hereby  
7       amended to read as follows:

8           "SEC. 11. *Protected Area Management Board*  
9       (PAMB). - WITHIN THREE (3) MONTHS AFTER THE  
10      EFFECTIVITY OF THIS ACT [A]A Protected Area  
11      Management Board [for each of the established  
12      protected area] shall be created FOR EACH OF THE  
13      PROTECTED AREAS DESIGNATED AS INITIAL COMPONENT,  
14      ESTABLISHED BY PRESIDENTIAL PROCLAMATION, AND  
15      DECLARED BY LAW. [and] THE BOARD shall be composed  
16      of the following: [the Regional Executive Director under  
17      whose jurisdiction the protected area is located; one (1)  
18      representative from the autonomous regional government,  
19      if applicable; the Provincial Development Officer; one (1)  
20      representative from the municipal government; one (1)  
21      representative from each barangay covering the protected  
22      area; one (1) representative from each tribal community,  
23      if applicable; and, at least three (3) representatives  
24      from nongovernment organizations/local community  
25      organizations, and if necessary, one (1) representative  
26      from other departments or national government agencies  
27      involved in protected area management.]

1           “(A) DENR REGIONAL DIRECTOR UNDER WHOSE  
2 JURISDICTION THE PROTECTED AREA IS LOCATED, AS  
3 CHAIRPERSON;

4           “(B) GOVERNOR/S OF THE PROVINCE/S WHERE THE  
5 PROTECTED AREA IS LOCATED OR THEIR DULY  
6 DESIGNATED REPRESENTATIVE/S;

7           “(C) A SENATOR OF THE REPUBLIC OF THE  
8 PHILIPPINES WHO IS A DULY REGISTERED RESIDENT OF  
9 THE CITY OR PROVINCE WHERE THE PROTECTED AREA IS  
10 LOCATED OR A DULY AUTHORIZED REPRESENTATIVE,  
11 UNLESS THE SENATOR DECLINES MEMBERSHIP IN THE  
12 PAMB;

13           “(D) DISTRICT REPRESENTATIVE/S OF THE  
14 CONGRESSIONAL DISTRICT/S WHERE THE PROTECTED  
15 AREA IS LOCATED OR THEIR DULY DESIGNATED  
16 REPRESENTATIVES, UNLESS THE DISTRICT  
17 REPRESENTATIVE DECLINES MEMBERSHIP IN THE  
18 PAMB;

19           “(E) MAYOR/S OF THE CITY/CITIES OR  
20 MUNICIPALITY/MUNICIPALITIES WHERE THE PROTECTED  
21 AREA IS LOCATED OR THEIR DULY DESIGNATED  
22 REPRESENTATIVE/S;

23           “(F) CHAIRPERSON/S OF THE BARANGAY/S WHERE  
24 THE PROTECTED AREA IS LOCATED;

25           “(G) REGIONAL DIRECTORS OF THE FOLLOWING  
26 GOVERNMENT AGENCIES, NAMELY: THE DEPARTMENT OF  
27 AGRICULTURE (DA), THE NATIONAL ECONOMIC AND  
28 DEVELOPMENT AUTHORITY (NEDA), THE DEPARTMENT  
29 OF SCIENCE AND TECHNOLOGY (DOST), THE PHILIPPINE  
30 NATIONAL POLICE (PNP), AND THE DEPARTMENT OF  
31 NATIONAL DEFENSE (DND);

1           “(H) ONE (1) REPRESENTATIVE FROM EACH TRIBE  
2       OF IP/ICC PRESENT IN THE PROTECTED AREA;

3           “(I) THREE (3) REPRESENTATIVES FROM EITHER A  
4       NONGOVERNMENTAL ORGANIZATION (NGO) OR PEOPLE’S  
5       ORGANIZATION (PO), DULY ACCREDITED BY THE DENR  
6       OR THE PROVINCIAL GOVERNMENT. THE NGO OR PO  
7       REPRESENTED SHOULD HAVE BEEN IN EXISTENCE FOR AT  
8       LEAST FIVE (5) YEARS AND WITH TRACK RECORD IN OR  
9       RELATED TO PROTECTED AREA MANAGEMENT;

10          “(J) ONE (1) REPRESENTATIVE FROM AN ACADEMIC  
11       INSTITUTION, PREFERABLY FROM A UNIVERSITY OR  
12       COLLEGE IN THE PROVINCE WHERE THE PROTECTED  
13       AREA IS LOCATED, WITH A PROVEN TRACK RECORD IN OR  
14       RELATED TO THE PROTECTED AREA MANAGEMENT; AND

15          “(K) ONE (1) REPRESENTATIVE FROM THE PRIVATE  
16       SECTOR, PREFERABLY A RESIDENT OF THE PROVINCE  
17       WHERE THE PROTECTED AREA IS LOCATED, WHO IS  
18       DISTINGUISHED IN A PROFESSION OR FIELD OF INTEREST  
19       RELEVANT TO THE PROTECTED AREA MANAGEMENT.

20           [The Board shall, by a majority vote, decide the  
21       allocations for budget, approve proposals for funding,  
22       decide matters relating to planning, peripheral protection  
23       and general administration of the area in accordance with  
24       the general management strategy. The members of the  
25       Board shall serve for a term of five (5) years without  
26       compensation, except for actual and necessary traveling  
27       and subsistence expenses incurred in the performance of  
28       their duties. They shall be appointed by the Secretary of  
29       the DENR as follows:

1 (a) A member who shall be appointed to represent  
2 each local government down to barangay level whose  
3 territory or portion is included in the protected area. Each  
4 appointee shall be the person designated by the head of  
5 such LGU, except for the Provincial Development Officer  
6 who shall serve *ex officio*;

7 (b) A member from nongovernment organizations  
8 who shall be endorsed by heads of organizations which  
9 are preferably based in the area or which have  
10 established and recognized interest in protected areas;

11 (c) The RED/s in the region/s where such protected  
12 area lies shall sit as *ex officio* member of the Board and  
13 shall serve as adviser/s in matters related to the technical  
14 aspect of management of the area; and

15 (d) The RED shall act as chairman of the Board.  
16 When there are two (2) or more REDs in the Board, the  
17 Secretary shall designate one (1) of them to be the  
18 Chairman. Vacancies shall be filled in the same manner  
19 as the original appointment.]

20 "EX OFFICIO MEMBERS OR MEMBERS OF THE PAMB  
21 BY VIRTUE OF THEIR ELECTIVE OR APPOINTIVE  
22 GOVERNMENT POSITIONS AS SPECIFIED IN THE  
23 IMMEDIATELY PRECEDING SUBPARAGRAPHS (A), (B), (C),  
24 (D), (E), (F), AND (G), SHALL SERVE FOR THE DURATION OF  
25 THEIR RESPECTIVE TERMS OF OFFICE IN THEIR  
26 RESPECTIVE ELECTIVE OR APPOINTIVE GOVERNMENT  
27 POSITIONS.

28 "ON THE OTHER HAND, THE MEMBERS OF THE  
29 PAMB SPECIFIED UNDER SUBPARAGRAPHS (H), (I), (J),  
30 AND (K) OF THIS SECTION SHALL BE APPOINTED BY THE

1 DENR SECRETARY AFTER THE CONDUCT OF A  
2 TRANSPARENT AND FAIR SELECTION PROCESS.  
3 THEY SHALL EACH SERVE A TERM OF FIVE (5) YEARS  
4 AND MAY BE REAPPOINTED FOR ANOTHER FIVE  
5 (5)-YEAR TERM.

6 "THE MEMBERS OF THE PAMB SHALL SERVE  
7 WITHOUT COMPENSATION, EXCEPT FOR THE ACTUAL AND  
8 NECESSARY TRAVELING AND SUBSISTENCE EXPENSES  
9 INCURRED IN THE PERFORMANCE OF THEIR DUTIES,  
10 EITHER IN THEIR ATTENDANCE IN MEETINGS OF THE  
11 PAMB OR IN CONNECTION WITH OTHER OFFICIAL  
12 BUSINESS AUTHORIZED THROUGH A RESOLUTION OF THE  
13 PAMB, SUBJECT TO EXISTING RULES AND REGULATIONS.  
14 EACH MEMBER SHALL HAVE THE FULL CAPACITY AND  
15 ACCOUNTABILITY FOR DECISIONS BINDING TO THE  
16 MEMBER'S SECTOR.

17 "THE PAMB MEMBERS DULY APPOINTED PRIOR TO  
18 THE EFFECTIVITY OF THIS ACT SHALL CONTINUE THEIR  
19 TERM UNTIL THE EXPIRATION OF THEIR APPOINTMENT.  
20 THEREAFTER, MEMBERS OF THE MANAGEMENT BOARD  
21 SHALL BE APPOINTED IN ACCORDANCE WITH THE  
22 PROVISIONS OF THIS ACT: *PROVIDED*, THAT THE  
23 REGIONAL DIRECTOR OF THE DENR SHALL ENSURE  
24 THAT THE RELEVANT MEMBERS OF THE PAMB ARE DULY  
25 APPOINTED BY THE DENR SECRETARY: *PROVIDED*,  
26 *FURTHER*, THAT, IF FEASIBLE, AT LEAST FORTY PERCENT  
27 (40%) OF THE PAMB MEMBERS SHALL BE WOMEN,  
28 PURSUANT TO REPUBLIC ACT NO. 9710, OR 'THE MAGNA  
29 CARTA OF WOMEN'.

30 "A MEMBER OF THE PAMB MAY BE REMOVED FOR  
31 ANY OF THE FOLLOWING GROUNDS:

1           “(1) MORE THAN THREE (3) CONSECUTIVE  
2 UNEXCUSED ABSENCES FROM REGULAR MEETINGS OF THE  
3 MANAGEMENT BOARD;

4           “(2) COMMISSION OF ACTS PREJUDICIAL TO THE  
5 MANAGEMENT OF PROTECTED AREAS AS EMBODIED IN  
6 SECTION 20 HEREOF AND/OR OTHER EXISTING RULES AND  
7 REGULATIONS GOVERNING PROTECTED AREAS;

8           “(3) DISASSOCIATION FROM THE OFFICE OR  
9 ORGANIZATION BEING REPRESENTED;

10          “(4) TERMINATION OF RELATIONSHIP WITH THE  
11 OFFICE OR ORGANIZATION BEING REPRESENTED; OR

12          “(5) CONVICTION BY FINAL JUDGMENT OF ANY  
13 CRIMINAL ACT.”

14          SEC. 9. Insert two (2) new sections after Section 11 of  
15 Republic Act No. 7586 to read as follows:

16           “SEC. 11-A. *POWERS AND FUNCTIONS OF THE*  
17 *PAMB.* - THE PAMB SHALL HAVE THE FOLLOWING  
18 POWERS AND FUNCTIONS:

19           “(A) OVERSEE THE MANAGEMENT OF THE  
20 PROTECTED AREA;

21           “(B) APPROVE POLICIES, PLANS AND PROGRAMS,  
22 PROPOSALS, AGREEMENTS, AND OTHER RELATED  
23 DOCUMENTS FOR THE MANAGEMENT OF THE PROTECTED  
24 AREAS;

25           “(C) APPROVE THE MANAGEMENT PLAN OF THE  
26 PROTECTED AREA AND ENSURE ITS HARMONIZATION  
27 AND INTEGRATION WITH THE ANCESTRAL DOMAIN  
28 SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN,  
29 LAND USE PLAN AND OTHER DEVELOPMENT PLAN, PUBLIC  
30 OR PRIVATE, AND ITS IMPLEMENTATION;

1           “(D) ADOPT A MANUAL OF OPERATIONS TO INCLUDE  
2           RULES OF PROCEDURES IN THE CONDUCT OF BUSINESS,  
3           AND THE CREATION OF COMMITTEES AND THEIR  
4           RESPECTIVE TERMS OF REFERENCE;

5           “(E) RECOMMEND THE DEPUTATION OF  
6           APPROPRIATE AGENCIES AND INDIVIDUALS FOR THE  
7           ENFORCEMENT OF THE LAWS, RULES AND REGULATIONS  
8           GOVERNING THE MANAGEMENT OF THE PROTECTED AREA;

9           “(F) ALLOCATE FINANCIAL RESOURCES FOR THE  
10          IMPLEMENTATION OF THE MANAGEMENT PLAN AND  
11          MANAGE THE PROTECTED AREA RETENTION INCOME  
12          ACCOUNT AND OTHER FUNDS IN ACCORDANCE WITH THE  
13          ACCOUNTING AND BUDGETING RULES AND REGULATIONS;

14          “(G) SET FEES AND CHARGES IN ACCORDANCE WITH  
15          EXISTING GUIDELINES;

16          “(H) ISSUE RULES AND REGULATIONS FOR THE  
17          RESOLUTION OF CONFLICTS THROUGH APPROPRIATE AND  
18          EFFECTIVE MEANS;

19          “(I) RECOMMEND APPROPRIATE POLICY CHANGES  
20          TO THE DENR AND OTHER GOVERNMENT AUTHORITIES;

21          “(J) MONITOR AND ASSESS THE PERFORMANCE OF  
22          THE PASU AND OTHER PROTECTED AREA PERSONNEL  
23          AND COMPLIANCE OF PARTNERS WITH THE TERMS AND  
24          CONDITIONS OF ANY UNDERTAKING, CONTRACT OR  
25          AGREEMENT;

26          “(K) RECOMMEND FROM AMONG A SHORTLIST OF  
27          QUALIFIED CANDIDATES, THE DESIGNATION OR  
28          APPOINTMENT OF THE PASU; AND

29          “(L) ASSESS THE EFFECTIVENESS OF THE  
30          MANAGEMENT OF THE PROTECTED AREA: *PROVIDED*,  
31          THAT THE MEMBERS OF THE MANAGEMENT BOARD

1 REPRESENTING THE LGUS AND NATIONAL AGENCIES  
2 IN THE PAMB SHALL INFORM THEIR RESPECTIVE  
3 CONSTITUENTS, OFFICES OR SECTORS, OF  
4 PAMB-APPROVED OR OTHER RELEVANT POLICIES, RULES,  
5 REGULATIONS, PROGRAMS, AND PROJECTS AND SHALL  
6 ENSURE THAT THE PROVISIONS OF THIS ACT AND ITS  
7 IMPLEMENTING RULES AND REGULATIONS ARE COMPLIED  
8 WITH, AND USED AS REFERENCE AND FRAMEWORK IN  
9 THEIR RESPECTIVE PLANS, POLICIES, PROGRAMS, AND  
10 PROJECTS. FAILURE TO COMPLY WITH THE FOREGOING  
11 SHALL BE THE BASIS FOR DISCIPLINARY ACTION AGAINST  
12 SUCH MEMBER ACCORDING TO ADMINISTRATIVE RULES  
13 AND REGULATIONS AND SUCH PENALTIES AS THE PAMB  
14 MAY PROVIDE: *PROVIDED, FURTHER*, THAT THE DENR,  
15 THROUGH THE REGIONAL DIRECTOR, SHALL ENSURE  
16 THAT THE PAMB ACTS WITHIN THE SCOPE OF ITS POWERS  
17 AND FUNCTIONS. IN CASE OF CONFLICT BETWEEN THE  
18 RESOLUTIONS ISSUED BY THE PAMB AND THE EXISTING  
19 ADMINISTRATIVE ORDERS OF NATIONAL APPLICATION,  
20 THE LATTER SHALL PREVAIL."

21 "SEC. 11-B. *THE PROTECTED AREA MANAGEMENT*  
22 *OFFICE (PAMO)*. — THERE IS HEREBY ESTABLISHED A  
23 PROTECTED AREA MANAGEMENT OFFICE (PAMO) TO BE  
24 HEADED BY A PROTECTED AREA SUPERINTENDENT  
25 (PASU) WHO SHALL SUPERVISE THE DAY TO DAY  
26 MANAGEMENT AND ADMINISTRATION OF THE  
27 PROTECTED AREA. A SUFFICIENT NUMBER OF  
28 SUPPORT STAFF SHALL BE APPOINTED BY THE  
29 DENR TO ASSIST THE PASU IN THE MANAGEMENT  
30 OF THE PROTECTED AREA.

1           "THE PASU SHALL OCCUPY A PERMANENT  
2     PLANTILLA POSITION AND SHALL BE PRIMARILY  
3     ACCOUNTABLE TO THE PAMB AND THE DENR FOR THE  
4     MANAGEMENT AND OPERATIONS OF THE PROTECTED  
5     AREA. PURSUANT THERETO, THE PASU SHALL HAVE THE  
6     FOLLOWING DUTIES AND RESPONSIBILITIES:

7           "(A) PREPARE THE MANAGEMENT PLAN, IN  
8     CONSULTATION WITH THE STAKEHOLDERS, INCLUDING  
9     THE ANNUAL WORK AND FINANCIAL PLAN AND ENSURE ITS  
10    IMPLEMENTATION;

11          "(B) ENSURE THE INTEGRATION OF THE PROTECTED  
12    AREA MANAGEMENT PLANS, PROGRAMS, PROJECTS, AND  
13    POLICIES WITH RELEVANT NATIONAL AND LGUs' PLANS  
14    AND PROGRAMS;

15          "(C) PROVIDE SECRETARIAT SERVICES TO THE  
16    PAMB AND ITS COMMITTEES AND ENSURE THE  
17    AVAILABILITY OF RELEVANT AND TIMELY INFORMATION  
18    FOR DECISION-MAKING;

19          "(D) FORMULATE AND RECOMMEND TO THE PAMB  
20    PROPOSED POLICIES, RULES, REGULATIONS, AND  
21    PROGRAMS;

22          "(E) ESTABLISH, OPERATE, AND MAINTAIN A  
23    DATABASE MANAGEMENT SYSTEM WHICH SHALL BE AN  
24    IMPORTANT BASIS FOR DECISION-MAKING;

25          "(F) ENFORCE THE LAWS, RULES AND REGULATIONS  
26    RELEVANT TO THE PROTECTED AREA, COMMENCE AND  
27    INSTITUTE ADMINISTRATIVE AND LEGAL ACTIONS IN  
28    COLLABORATION WITH OTHER GOVERNMENT AGENCIES  
29    OR ORGANIZATIONS, AND ASSIST IN THE PROSECUTION OF  
30    OFFENSES COMMITTED IN VIOLATION OF THIS ACT;

1           “(G) MONITOR, EVALUATE, AND REPORT THE  
2 IMPLEMENTATION OF MANAGEMENT ACTIVITIES OF THE  
3 PROTECTED AREA;

4           “(H) REQUEST FOR AND RECEIVE ANY TECHNICAL  
5 ASSISTANCE, SUPPORT OR ADVICE FROM ANY AGENCY OR  
6 INSTRUMENTALITY OF THE GOVERNMENT AS WELL AS  
7 ACADEMIC INSTITUTIONS, NGOS, AND THE PRIVATE  
8 SECTOR, AS MAY BE NECESSARY FOR THE EFFECTIVE  
9 MANAGEMENT, PROTECTION AND ADMINISTRATION OF  
10 THE PROTECTED AREA;

11           “(I) ISSUE PERMITS AND CLEARANCES FOR  
12 ACTIVITIES THAT IMPLEMENT THE MANAGEMENT PLAN  
13 AND OTHER PERMITTED ACTIVITIES IN ACCORDANCE WITH  
14 TERMS, CONDITIONS, AND CRITERIA ESTABLISHED BY THE  
15 PAMB: *PROVIDED*, THAT ALL PERMITS FOR EXTRACTION  
16 ACTIVITIES, INCLUDING COLLECTION FOR RESEARCH  
17 PURPOSES, SHALL ALSO CONTINUE TO BE ISSUED BY  
18 RELEVANT AUTHORITIES, SUBJECT TO PRIOR CLEARANCE  
19 FROM THE PAMB, THROUGH THE PASU, IN ACCORDANCE  
20 WITH THE SPECIFIC ACTS TO BE COVERED;

21           “(J) COLLECT AND/OR RECEIVE PERTINENT FEES,  
22 CHARGES, DONATIONS, AND OTHER INCOME FOR  
23 THE PROTECTED AREA: *PROVIDED*, THAT SUCH  
24 FEES, CHARGES, DONATIONS, AND OTHER INCOME  
25 COLLECTED/RECEIVED SHALL BE REPORTED REGULARLY  
26 TO THE PAMB AND THE DENR IN ACCORDANCE WITH  
27 EXISTING GUIDELINES;

28           “(K) PREPARE AND RECOMMEND TO THE PAMB,  
29 APPROVAL OF THE ANNUAL WORK AND FINANCIAL PLANS  
30 OF THE PROTECTED AREA BASED ON THE MANAGEMENT  
31 PLAN; AND

1           “(L) PERFORM SUCH OTHER FUNCTIONS AS THE  
2 PAMB AND THE DENR MAY ASSIGN.

3           “THE PAMO MAY BE AUGMENTED BY THE  
4 DEPUTIZED LOCAL ENVIRONMENT AND NATURAL  
5 RESOURCES OFFICERS UPON THE RECOMMENDATION OF  
6 THE PAMB AND APPROVAL OF THE DENR.”

7           SEC. 10. Section 12 of Republic Act No. 7586 is hereby  
8 amended to read as follows:

9           “SEC. 12. *Environmental Impact Assessment (EIA)*. –

10          [Proposals for activities which are outside the scope of the  
11 management plan for protected areas shall be subject to  
12 an environmental impact assessment as required by law  
13 before they are adopted, and the results thereof shall be  
14 taken into consideration in the decision-making process.]

15          CONSIDERING THAT PROTECTED AREAS ARE  
16 ENVIRONMENTALLY CRITICAL AREAS, THE PROPONENT OF  
17 DEVELOPMENT PROJECTS AND ACTIVITIES WITH  
18 POTENTIALLY SIGNIFICANT ADVERSE IMPACTS AS  
19 DETERMINED BY THE EMB, WHETHER OR NOT THESE  
20 PROJECTS OR ACTIVITIES ARE INCLUDED IN THE  
21 MANAGEMENT PLAN, SHALL SECURE AN ENVIRONMENTAL  
22 COMPLIANCE CERTIFICATE (ECC) IN ACCORDANCE WITH  
23 THE PHILIPPINE ENVIRONMENT IMPACT STATEMENT  
24 (EIS) SYSTEM: *PROVIDED*, THAT FOR DEVELOPMENT  
25 PROJECTS AND ACTIVITIES THAT ARE NOT  
26 ENVIRONMENTALLY CRITICAL, AN INITIAL  
27 ENVIRONMENTAL EXAMINATION (IEE) SHALL BE  
28 UNDERTAKEN INSTEAD OF A FULL-BLOWN EIA. NO  
29 PROJECT OR ACTIVITY MAY BE UNDERTAKEN BY ANY  
30 PROJECT PROPONENT WITHOUT PRIOR CLEARANCE FROM  
31 THE PAMB. THE DENR SHALL REQUIRE THE

1 SUBMISSION OF THE PAMB CLEARANCE, AMONG OTHERS,  
2 BEFORE ISSUING AN ECC TO A PROJECT PROPONENT.

3 "No actual implementation of such activities shall  
4 be allowed without the required [Environmental  
5 Compliance Certificate(ECC)] under the Philippine  
6 [Environmental Impact Assessment(EIA)] system. [In  
7 instances where such activities are allowed to be  
8 undertaken, the proponent shall plan and carry them out  
9 in such manner as will minimize any adverse effects and  
10 take preventive and remedial action when appropriate.  
11 The proponent shall be liable for any damage due  
12 to lack of caution or indiscretion.] VIOLATIONS OF  
13 ENVIRONMENTAL LAWS, RULES AND REGULATIONS,  
14 INCLUDING THOSE UNDER THE EIA SYSTEM, SHALL BE  
15 PENALIZED ACCORDINGLY."

16 SEC. 11. Section 13 of Republic Act No. 7586 is hereby  
17 amended to read as follows:

18 "SEC. 13. *Ancestral DOMAINS, Lands and [Rights*  
19 *Over Them]* CUSTOMARY RIGHTS. – Ancestral DOMAINS,  
20 ANCESTRAL lands and customary rights [and interest  
21 arising] shall be accorded due recognition. [The DENR  
22 shall prescribe rules and regulations to govern ancestral  
23 lands within protected areas: *Provided*, That the DENR  
24 shall have no power to evict indigenous communities from  
25 their present occupancy nor resettle them to another area  
26 without their consent: *Provided, however*, That all rules  
27 and regulations, whether adversely affecting said  
28 communities or not, shall be subjected to notice and

1 hearing to be participated in by members of concerned  
 2 indigenous community.] AS PART OF HERITAGE  
 3 PRESERVATION AND PURSUANT TO THE NEED TO  
 4 CONSERVE BIOLOGICALLY SIGNIFICANT AREAS, THE  
 5 TERRITORIES AND AREAS OCCUPIED AND CONSERVED FOR  
 6 AND BY IPs AND COMMUNITIES SHALL BE RECOGNIZED,  
 7 RESPECTED, DEVELOPED, AND PROMOTED.

8 "THE ICCs AND IPs CONCERNED SHALL HAVE THE  
 9 RESPONSIBILITY TO GOVERN, MAINTAIN, DEVELOP,  
 10 PROTECT, AND CONSERVE SUCH AREAS, IN ACCORDANCE  
 11 WITH THEIR INDIGENOUS KNOWLEDGE SYSTEMS AND  
 12 PRACTICES AND CUSTOMARY LAW, WITH FULL AND  
 13 EFFECTIVE ASSISTANCE FROM THE NCIP, DENR AND  
 14 OTHER CONCERNED GOVERNMENT AGENCIES.

15 "A MECHANISM FOR COORDINATION AND  
 16 COMPLEMENTATION BETWEEN THE INDIGENOUS  
 17 TRADITIONAL LEADERSHIP AND GOVERNANCE  
 18 STRUCTURES AND THE NCIP, DENR, GOVERNMENT  
 19 AGENCIES, CONCERNED LGUs AND CIVIL SOCIETY  
 20 ORGANIZATIONS SHALL BE CREATED."

21 SEC. 12. Section 14 of Republic Act No. 7586 is hereby  
 22 amended to read as follows:

23 "SEC. 14. *[Survey for] Energy Resources.* -  
 24 Consistent with the policies declared in Section 2 hereof,  
 25 *[protected areas, except strict nature reserves and*  
 26 *natural parks, may be subjected to]* THE exploration FOR  
 27 ENERGY RESOURCES MAY BE ALLOWED IN PROTECTED  
 28 AREAS only for the purpose of gathering DATA AND  
 29 information *[on energy resources]* and only if such  
 30 activity is carried out with the least damage to

1 surrounding areas. Surveys FOR NONRENEWABLE  
2 ENERGY PROJECTS shall be conducted only in accordance  
3 with a program approved by the DENR, and the result of  
4 such surveys shall be made available to the public and  
5 submitted to the President [for] WHO SHALL MAKE THE  
6 APPROPRIATE [recommendation] RECOMMENDATIONS to  
7 Congress. [Any exploitation and utilization of energy  
8 resources found within NIPAS areas shall be allowed only  
9 through a law passed by Congress.] THE DEVELOPMENT  
10 AND OPERATION OF NONRENEWABLE ENERGY  
11 PROJECTS ARE PROHIBITED IN AREAS CLASSIFIED  
12 AS STRICT NATURE RESERVES AND NATURAL PARKS.

13 "RENEWABLE ENERGY PROJECTS MAY BE ALLOWED  
14 WITHIN THE PA BY THE PAMB WITH THE CONCURRENCE  
15 OF THE DENR SECRETARY: PROVIDED, THAT  
16 RENEWABLE ENERGY PROJECTS, WHICH SHALL BE  
17 LOCATED OUTSIDE THE STRICT PROTECTION ZONES,  
18 SHALL UNDERGO THE ENVIRONMENTAL IMPACT  
19 ASSESSMENT (EIA) AS PROVIDED BY LAW, AND SHALL  
20 ADOPT REDUCED IMPACT TECHNOLOGIES SO AS NOT TO BE  
21 DTERIMENTAL TO ECOSYSTEM FUNCTIONS, BIODIVERSITY,  
22 CULTURAL PRACTICES AND TRADITIONS."

23 SEC. 13. Section 15 of Republic Act No. 7586 is hereby  
24 amended to read as follows:

25 "SEC. 15. *Areas Under the Management of Other*  
26 *Departments and Government Instrumentalities.* -  
27 Should there be protected areas, or portions thereof,  
28 under the jurisdiction of government instrumentalities  
29 other than the DENR, such jurisdiction shall[, prior to

1 the passage of this Act,] remain in the said department  
2 or government instrumentality: *Provided*, That the  
3 [department or government instrumentality exercising  
4 administrative jurisdiction over said protected area or a  
5 portion thereof shall coordinate with the DENR in the  
6 preparation of its management plans, upon the effectivity  
7 of this Act.] DENR SHALL RETAIN ITS OVERSIGHT  
8 FUNCTION OVER SUCH PROTECTED AREAS, AND THE  
9 CONCERNED AGENCY SHALL PROVIDE ANNUAL REPORTS  
10 ON THE MANAGEMENT OF SAID AREAS FOCUSING ON THE  
11 CONSERVATION OF THE BIODIVERSITY THEREIN.”

12 SEC. 14. Section 16 of Republic Act No. 7586, as amended by  
13 Republic Act No. 10629, is hereby further amended to read as  
14 follows:

15 “SEC. 16. *Integrated Protected Area[s] Fund*  
16 *(IPAF)*. – There is hereby established a trust fund to be  
17 known as Integrated Protected Area[s] Fund (IPAF) for  
18 purposes of financing THE projects AND SUSTAINING THE  
19 OPERATION of PROTECTED AREAS AND the System. [The  
20 IPAF may solicit and receive donations, endowments, and  
21 grants in the form of contributions, and such endowments  
22 shall be exempted from income or gift taxes and all other  
23 taxes, charges or fees imposed by the Government or any  
24 political subdivision or instrumentality thereof.] INCOME  
25 GENERATED FROM THE OPERATION AND MANAGEMENT OF  
26 THE PROTECTED AREA SHALL ACCRUE TO THE IPAF.  
27 THE INCOME SHALL BE DERIVED FROM FEES AND  
28 CHARGES FROM THE USE OF RESOURCES AND FACILITIES  
29 OF PROTECTED AREAS; CONTRIBUTIONS FROM

1 INDUSTRIES AND FACILITIES DIRECTLY BENEFITING FROM  
2 THE PROTECTED AREA; AND SUCH OTHER FEES AND  
3 INCOME DERIVED FROM THE OPERATION OF THE  
4 PROTECTED AREA.

5 "THE PAMB SHALL RETAIN SEVENTY-FIVE PERCENT  
6 (75%) OF ALL REVENUES RAISED THROUGH THE ABOVE  
7 MEANS, WHICH SHALL BE DEPOSITED IN THE PROTECTED  
8 AREA-RETAINED INCOME ACCOUNT (PA-RIA) IN ANY  
9 AUTHORIZED GOVERNMENT DEPOSITORY BANK WITHIN THE  
10 LOCALITY: *PROVIDED*, THAT DISBURSEMENTS OUT OF SUCH  
11 DEPOSITS SHALL BE USED SOLELY FOR THE PROTECTION,  
12 MAINTENANCE, ADMINISTRATION, AND MANAGEMENT OF THE  
13 PROTECTED AREA AND IMPLEMENTATION OF DULY APPROVED  
14 PROJECTS OF THE PAMB.

15 ["All incomes generated from the operation of the  
16 System or management of wild flora and fauna shall  
17 accrue to the Fund subject to the retention by the Board  
18 of each protected area, of seventy-five percent (75%) of all  
19 the revenue raised therefrom. These incomes shall be  
20 derived from:

21 "(a) Taxes from the permitted sale and export of  
22 flora and fauna and other resources from protected areas;

23 "(b) Proceeds from lease of multiple-use areas;

24 "(c) Contributions from industries and facilities  
25 directly benefiting from the protected area; and

26 "(d) Such other fees and incomes derived from the  
27 operation of the protected area.

28 "The Fund, including all donations, grants,  
29 endowments from various sources and other contributions  
30 shall be deposited in any government bank within the

1       locality where each protected area is located: *Provided*,  
2       That if there is no government bank available in the  
3       locality, an account shall be opened in a government bank  
4       nearest to the locality.

5       “Disbursements from the Fund shall be made solely  
6       for the protection, maintenance, administration, and  
7       management of the System, and duly approved projects  
8       endorsed by the PAMBs, in the amounts authorized by  
9       the DENR in accordance with existing accounting,  
10      budgeting and auditing rules and regulations: *Provided*,  
11      *further*, That the fund shall not be used to cover personal  
12      services expenditures.]

13      “GRANTS, DONATIONS, ENDOWMENT FROM VARIOUS  
14      SOURCES, DOMESTIC OR FOREIGN, OR LGUs, AND  
15      VOLUNTARY OR LEGISLATED PAYMENTS FOR ECOSYSTEM  
16      GOODS AND SERVICES, INCLUDING FINES, PENALTIES, AND  
17      COMPENSATION FOR DAMAGES AND BONDS FROM  
18      PROTECTED AREA OFFENSES SHALL ACCRUE TO THE  
19      PA-RIA AND SHALL BE MANAGED BY THE PAMB.

20      “THE REMAINING TWENTY-FIVE PERCENT (25%) OF  
21      REVENUES SHALL BE DEPOSITED AS A SPECIAL ACCOUNT  
22      IN THE GENERAL FUND IN THE NATIONAL TREASURY FOR  
23      PURPOSES OF FINANCING THE PROJECTS OF THE SYSTEM.

24      “THE USE OF THE IPAF SHALL BE IN ACCORDANCE  
25      WITH EXISTING ACCOUNTING, BUDGETING, AND AUDITING  
26      RULES AND REGULATIONS: *PROVIDED, FURTHER*, THAT  
27      THE IPAF SHALL NOT BE USED TO COVER PERSONAL  
28      SERVICES EXPENDITURES.

29      “THE DENR SHALL SUBMIT TO THE DEPARTMENT  
30      OF BUDGET AND MANAGEMENT (DBM), AND

1 DEPARTMENT OF FINANCE (DOF) QUARTERLY REPORTS  
2 ON THE FINANCIAL AND PHYSICAL ACCOMPLISHMENTS ON  
3 THE UTILIZATION OF THE IPAF AND OTHER DOCUMENTS  
4 AS MAY BE REQUIRED BY THE DBM, AND SHALL FURNISH  
5 A COPY OF THE SAME TO THE HOUSE COMMITTEE ON  
6 APPROPRIATIONS AND THE SENATE COMMITTEE ON  
7 FINANCE.”

8 SEC. 15. A new Section 16-A of Republic Act No. 7586, as  
9 amended by Republic Act No. 10629 shall read as follows:

10 “SEC. 16-A. *TAX EXEMPTION.* - ALL GRANTS,  
11 BEQUESTS AND ENDOWMENTS, DONATIONS AND  
12 CONTRIBUTIONS MADE TO THE PROTECTED AREA  
13 FUND TO BE USED ACTUALLY, DIRECTLY, AND  
14 EXCLUSIVELY BY THE PROTECTED AREA, SHALL BE  
15 EXEMPT FROM DONOR’S TAX AND SHALL BE CONSIDERED  
16 AS ALLOWABLE DEDUCTION FROM THE GROSS INCOME OF  
17 THE DONOR FOR THE PURPOSE OF COMPUTING THE  
18 TAXABLE INCOME OF THE DONOR IN ACCORDANCE WITH  
19 THE PROVISIONS OF THE NATIONAL INTERNAL REVENUE  
20 CODE OF 1997, AS AMENDED.”

21 SEC. 16. Section 19 of Republic Act No. 7586 is hereby  
22 amended to read as follows:

23 “SEC. 19. *Special Prosecutors AND RETAINED*  
24 *COUNSEL.* - WITHIN THIRTY (30) DAYS FROM THE  
25 EFFECTIVITY OF THIS ACT, [T]The Department of Justice  
26 (DOJ) shall [designate] APPOINT special prosecutors to  
27 prosecute violations of laws, rules and regulations in  
28 protected areas. THE SPECIAL PROSECUTOR SHALL  
29 COORDINATE WITH THE PAMB AND THE PASU IN THE  
30 PERFORMANCE OF DUTIES AND ASSIST IN THE TRAINING

1 OF WARDENS AND RANGERS IN ARREST AND CRIMINAL  
2 PROCEDURES. THE PAMB MAY RETAIN THE SERVICES OF  
3 COUNSEL TO PROSECUTE AND ASSIST IN THE  
4 PROSECUTION OF CASES UNDER THE DIRECT CONTROL  
5 AND SUPERVISION OF THE REGULAR OR SPECIAL  
6 PROSECUTOR. SAID COUNSEL SHALL ALSO REPRESENT  
7 AND DEFEND THE MEMBERS OF THE PAMB, PASU AND  
8 THE STAFF, OR ANY DENR-DEPUTIZED INDIVIDUAL AND  
9 VOLUNTEER, AGAINST ANY LEGAL ACTION ARISING FROM  
10 THE PERFORMANCE OF THEIR POWERS, FUNCTIONS AND  
11 RESPONSIBILITIES AS PROVIDED IN THIS ACT."

12 SEC. 17. Section 20 of Republic Act No. 7586 is hereby  
13 amended to read as follows:

14 "SEC. 20. *Prohibited Acts.* - Except as may be  
15 allowed by the nature of their categories and pursuant to  
16 rules and regulations governing the same, the following  
17 acts are prohibited within protected areas:

18 "(a) [Hunting, destroying, disturbing, or mere  
19 possession of any plants or animals or products derived  
20 therefrom without a permit from the Management Board]  
21 POACHING, KILLING, DESTROYING, DISTURBING OF ANY  
22 WILDLIFE INCLUDING IN PRIVATE LANDS WITHIN THE  
23 PROTECTED AREA;

24 "(b) [Dumping of any waste products detrimental to  
25 the protected area, or to the plants and animals or  
26 inhabitants therein] HUNTING, TAKING, COLLECTING, OR  
27 POSSESSING OF ANY WILDLIFE, OR BY-PRODUCTS DERIVED  
28 THEREFROM, INCLUDING IN PRIVATE LANDS WITHIN THE  
29 PROTECTED AREA WITHOUT THE NECESSARY PERMIT,  
30 AUTHORIZATION OR EXEMPTION: *PROVIDED, THAT THE*

PASU AS AUTHORIZED BY THE PAMB SHALL ISSUE A PERMIT, AUTHORIZATION OR EXEMPTION ONLY FOR CULLING, SCIENTIFIC RESEARCH, THE EXCEPTIONS PROVIDED UNDER SECTION 27(A) OF REPUBLIC ACT NO. 9147 (WILDLIFE RESOURCES, CONSERVATION AND PROTECTION ACT) OR HARVESTS OF NONPROTECTED SPECIES IN MULTIPLE-USE ZONES BY TENURED MIGRANTS AND IPS;

“(c) [Use of any motorized equipment without a permit from the Management Board] CUTTING, GATHERING, REMOVING OR COLLECTING TIMBER WITHIN THE PROTECTED AREA INCLUDING PRIVATE LANDS THEREIN, WITHOUT THE NECESSARY PERMIT, AUTHORIZATION, CERTIFICATION OF PLANTED TREES OR EXEMPTION SUCH AS FOR CULLING EXOTIC SPECIES; EXCEPT, HOWEVER, WHEN SUCH ACTS ARE DONE IN ACCORDANCE WITH THE DULY RECOGNIZED PRACTICES OF THE IPS/ICCS FOR SUBSISTENCE PURPOSES;

“(d) [Mutilating, defacing or destroying objects of natural beauty, or objects of interest to cultural communities (of scenic value)] POSSESSING OR TRANSPORTING OUTSIDE THE PROTECTED AREA ANY TIMBER, FOREST PRODUCTS, WILDLIFE, OR BY-PRODUCTS DERIVED THEREFROM WHICH ARE ASCERTAINED TO HAVE BEEN TAKEN FROM THE PROTECTED AREA OTHER THAN EXOTIC SPECIES, THE CULLING OF WHICH HAS BEEN AUTHORIZED UNDER AN APPROPRIATE PERMIT;

1           “(e) [Damaging and leaving roads and trails in a  
2           damaged condition] USING ANY FISHING OR HARVESTING  
3           GEAR AND PRACTICES OR ANY OF THEIR VARIATIONS THAT  
4           DESTROYS CORAL REEFS, SEAGRASS BEDS OR OTHER  
5           MARINE LIFE AND THEIR ASSOCIATED HABITATS OR  
6           TERRESTRIAL HABITAT AS MAY BE DETERMINED BY  
7           THE DA, OR THE DENR: *PROVIDED*, THAT, THAT MERE  
8           POSSESSION OF SUCH GEARS WITHIN THE PROTECTED  
9           AREAS SHALL BE *PRIMA FACIE* EVIDENCE OF THEIR USE;

10           “(f) [Squatting, mineral locating, or otherwise  
11           occupying any land] DUMPING, THROWING, USING, OR  
12           CAUSING TO BE DUMPED INTO OR PLACED IN THE  
13           PROTECTED AREA OF ANY TOXIC CHEMICAL, NOXIOUS OR  
14           POISONOUS SUBSTANCE OR NONBIODEGRADABLE  
15           MATERIAL, UNTREATED SEWAGE OR ANIMAL WASTE OR  
16           PRODUCTS WHETHER IN LIQUID, SOLID OR GAS STATE,  
17           INCLUDING PESTICIDES AND OTHER HAZARDOUS  
18           SUBSTANCES AS DEFINED UNDER REPUBLIC ACT  
19           NO. 6969, OTHERWISE KNOWN AS THE ‘TOXIC  
20           SUBSTANCES AND HAZARDOUS AND NUCLEAR WASTES  
21           CONTROL ACT OF 1990’ DETRIMENTAL TO THE  
22           PROTECTED AREA, OR TO THE PLANTS AND ANIMALS OR  
23           INHABITANTS THEREIN;

24           “(g) [Constructing or maintaining any kind of  
25           structure, fence or enclosures, conducting any business  
26           enterprise without a permit] OPERATING ANY MOTORIZED  
27           CONVEYANCE WITHIN THE PROTECTED AREA WITHOUT  
28           PERMIT FROM THE PAMB, EXCEPT WHEN THE USE OF  
29           SUCH MOTORIZED CONVEYANCE IS THE ONLY PRACTICAL

1 MEANS OF TRANSPORTATION OF IPS/ICCs IN ACCESSING  
2 THEIR ANCESTRAL DOMAIN/LAND;

3 “(h) [Leaving in exposed or unsanitary conditions  
4 refuse or debris, or depositing in ground or in bodies of  
5 water; and] ALTERING, REMOVING, DESTROYING OR  
6 DEFACING BOUNDARY MARKS OR SIGNS;[and]

7 “(i) [Altering, removing, destroying, or defacing  
8 boundary marks or signs] ENGAGING IN ‘KAINGIN’ OR, IN  
9 ANY MANNER, CAUSING FOREST FIRES INSIDE THE  
10 PROTECTED AREA[.];

11 “(j) MUTILATING, DEFACING, DESTROYING,  
12 EXCAVATING, VANDALIZING OR, IN ANY MANNER,  
13 DAMAGING ANY NATURAL FORMATION, RELIGIOUS,  
14 SPIRITUAL, HISTORICAL SITES, ARTIFACTS AND OTHER  
15 OBJECTS OF NATURAL BEAUTY, SCENIC VALUE OR  
16 OBJECTS OF INTEREST TO ICCs/IPs;

17 “(k) DAMAGING AND LEAVING ROADS AND TRAILS IN  
18 DAMAGED CONDITION;

19 “(l) LITTERING OR DEPOSITING REFUSE OR DEBRIS  
20 ON THE GROUND OR IN BODIES OF WATER;

21 “(m) POSSESSING OR USING BLASTING CAPS OR  
22 EXPLOSIVES ANYWHERE WITHIN THE PROTECTED AREA;

23 “(n) OCCUPYING OR DWELLING IN ANY PUBLIC  
24 LAND WITHIN THE PROTECTED AREA WITHOUT  
25 CLEARANCE FROM THE PAMB;

26 “(o) CONSTRUCTING, ERECTING, OR MAINTAINING  
27 ANY KIND OF STRUCTURE, FENCE OR ENCLOSURE,  
28 CONDUCTING ANY BUSINESS ENTERPRISE WITHIN THE  
29 PROTECTED AREA WITHOUT PRIOR CLEARANCE FROM THE

1 PAMB AND PERMIT FROM THE DENR, OR CONDUCTING  
2 THESE ACTIVITIES IN A MANNER THAT IS INCONSISTENT  
3 WITH THE MANAGEMENT PLAN DULY APPROVED BY THE  
4 PAMB;

5 "(P) UNDERTAKING MINERAL EXPLORATION OR  
6 EXTRACTION WITHIN THE PROTECTED AREA;

7 "(Q) ENGAGING IN COMMERCIAL OR LARGE-SCALE  
8 QUARRYING WITHIN THE PROTECTED AREA;

9 "(R) ESTABLISHING OR INTRODUCING EXOTIC  
10 SPECIES, INCLUDING GENETICALLY MODIFIED  
11 ORGANISMS (GMOs) OR INVASIVE ALIEN SPECIES  
12 WITHIN THE PROTECTED AREA;

13 "(S) CONDUCTING BIOPROSPECTING WITHIN THE  
14 PROTECTED AREA WITHOUT PRIOR PAMB CLEARANCE IN  
15 ACCORDANCE WITH EXISTING GUIDELINES: *PROVIDED*,  
16 THAT IN ADDITION TO THE PENALTY PROVIDED HEREIN,  
17 ANY COMMERCIAL USE OF ANY SUBSTANCE DERIVED FROM  
18 NONPERMITTED BIOPROSPECTING WITHIN A PROTECTED  
19 AREA WILL NOT BE ALLOWED AND ALL REVENUE EARNED  
20 FROM ILLEGAL COMMERCIALIZATION THEREOF SHALL BE  
21 FORFEITED AND DEPOSITED AS PART OF THE IPAF;

22 "(T) PROSPECTING, HUNTING OR OTHERWISE  
23 LOCATING HIDDEN TREASURES WITHIN THE PROTECTED  
24 AREA;

25 "(U) PURCHASING OR SELLING, MORTGAGING OR  
26 LEASING LANDS OR OTHER PORTIONS OF THE PROTECTED  
27 AREA WHICH ARE COVERED BY ANY TENURIAL  
28 INSTRUMENT; AND

29 "(V) CONSTRUCTING ANY PERMANENT STRUCTURE  
30 WITHIN THE FORTY (40)-METER EASEMENT FROM THE  
31 HIGH WATER MARK OF ANY NATURAL BODY OF WATER OR

1 ISSUING A PERMIT FOR SUCH CONSTRUCTION PURSUANT  
2 TO ARTICLE 51 OF PRESIDENTIAL DECREE NO. 1067:  
3 *PROVIDED*, THAT CONSTRUCTION FOR COMMON USAGE  
4 WHARVES AND SHORELINE PROTECTION SHALL BE  
5 PERMITTED BY THE PAMB ONLY AFTER THOROUGH  
6 ENVIRONMENTAL IMPACT ASSESSMENT."

7 SEC. 18. Section 21 of Republic Act No. 7586 is hereby  
8 amended to read as follows:

9 "SEC. 21. *Penalties.* - [Whoever violates this Act or  
10 any rules and regulations issued by the Department  
11 pursuant to this Act or whoever is found guilty by a  
12 competent court of justice of any of the offenses in the  
13 preceding section shall be fined in the amount of not less  
14 than Five thousand pesos (P5,000) nor more than Five  
15 hundred thousand pesos (P500,000), exclusive of the value  
16 of the thing damaged or imprisonment for not less than  
17 one (1) year but not more than six (6) years, or both, as  
18 determined by the court: *Provided*, That, if the area  
19 requires rehabilitation or restoration as determined by  
20 the court, the offender shall also be required to restore or  
21 compensate for the restoration to the damage: *Provided*,  
22 *further*, That the court shall order the eviction of the  
23 offender from the land and the forfeiture in favor of the  
24 Government of all minerals, timber or any species  
25 collected or removed including all equipment, devices and  
26 firearms used in connection therewith, and any  
27 construction or improvement made thereon by the  
28 offender. If the offender is an association or corporation,  
29 the president or manager shall be directly responsible for  
30 the act of his employees and laborers: *Provided, finally*,

1 That the DENR may impose administrative fines and  
2 penalties consistent with this Act.] VIOLATIONS UNDER  
3 THIS ACT SHALL BE SUBJECT TO THE FOLLOWING  
4 PENALTIES:

5 “(A) A FINE OF NOT LESS THAN TWO HUNDRED  
6 THOUSAND PESOS (P200,000) BUT NOT MORE THAN ONE  
7 MILLION PESOS (P1,000,000) OR IMPRISONMENT FROM  
8 ONE (1) YEAR BUT NOT MORE THAN SIX (6) YEARS, OR  
9 BOTH, PLUS DAMAGES OF TRIPLE THE VALUE OF THE SAID  
10 RESOURCES, OR BOTH, SHALL BE IMPOSED UPON ANY  
11 PERSON WHO VIOLATES PARAGRAPHS (A) TO (E) OF  
12 SECTION 20 HEREIN.

13 “(B) A FINE OF NOT LESS THAN TWO HUNDRED  
14 THOUSAND PESOS (P200,000) BUT NOT MORE THAN ONE  
15 MILLION PESOS (P1,000,000) OR IMPRISONMENT FROM  
16 ONE (1) YEAR BUT NOT MORE THAN SIX (6) YEARS, OR  
17 BOTH, SHALL BE IMPOSED UPON ANY PERSON WHO  
18 VIOLATES PARAGRAPHS (F) TO (N) OF SECTION 20  
19 HEREIN.

20 “(C) A FINE OF NOT LESS THAN ONE MILLION PESOS  
21 (P1,000,000) BUT NOT MORE THAN FIVE MILLION PESOS  
22 (P5,000,000) OR IMPRISONMENT FROM SIX (6) YEARS BUT  
23 NOT MORE THAN TWELVE (12) YEARS, OR BOTH, SHALL BE  
24 IMPOSED UPON ANY PERSON WHO VIOLATES PARAGRAPHS  
25 (O) TO (V) OF SECTION 20 HEREIN.

26 “(D) A FINE OF FIFTY THOUSAND PESOS (P50,000)  
27 DAILY SHALL BE IMPOSED ON THE OWNER OF EXISTING  
28 FACILITIES WITHIN A PROTECTED AREA UNDER SECTION  
29 24 OF THIS ACT, IF THE EXISTENCE OF THE SAME AND ITS  
30 FUTURE PLANS AND OPERATIONS WILL BE DETRIMENTAL

1 TO THE PROTECTED AREA. FOR EVERY CONTINUING  
2 VIOLATION, OR IF THE VIOLATION CONTINUES TO BE  
3 COMMITTED FOR THIRTY (30) DAYS AND UPON REACHING  
4 A TOTAL FINE OF FIVE HUNDRED THOUSAND PESOS  
5 (P500,000), THE PAMB THROUGH THE PASU AND  
6 OTHER DEPUTIZED GOVERNMENT ENTITIES, SHALL CAUSE  
7 THE CESSATION OF OPERATION AND EITHER FORFEIT IN  
8 FAVOR OF THE PAMO OR DEMOLISH THE FACILITY AT  
9 THE COST OF ITS OWNER. IF THE FACILITY IS  
10 GOVERNMENT-OWNED, THE AGENCY IN CHARGE SHALL  
11 SUBMIT A PLAN FOR A SUBSTITUTE FACILITY THAT  
12 COMPLIES WITH THE PROTECTED AREA STANDARDS AND,  
13 WITHIN ONE (1) YEAR, EXECUTE THE APPROVED PA  
14 MANAGEMENT PLAN;

15 "(E) ADMINISTRATIVE FINES OF NOT LESS THAN  
16 FIFTY THOUSAND PESOS (P50,000), BUT NOT EXCEEDING  
17 FIVE MILLION PESOS (P5,000,000), SHALL BE IMPOSED BY  
18 THE DENR REGIONAL DIRECTOR FOR THE VIOLATION OF  
19 ANY RULE, REGULATION, OR PROVISIONS OF ANY  
20 AGREEMENT REACHED WITH THE PAMB: *PROVIDED*,  
21 THAT IF AN AREA WHICH HAS SUSTAINED DAMAGE FROM  
22 ANY ACTIVITY CONDUCTED THEREIN REQUIRES  
23 REHABILITATION OR RESTORATION AS DETERMINED BY  
24 THE COURT, THE OFFENDER SHALL BE REQUIRED TO  
25 RESTORE OR PAY COMPENSATION FOR SUCH DAMAGES,  
26 WHICH PAYMENT SHALL ACCRUE TO THE IPAF:

27 "ON THE BASIS OF A COURT ORDER, THE DENR  
28 SHALL CAUSE THE EVICTION OF AN OFFENDER FROM THE  
29 PROTECTED AREA: *PROVIDED*, THAT IN CASES OF  
30 EMERGENCY, THE DENR SECRETARY MAY ORDER THE

1 IMMEDIATE EXIT OR DEPARTURE OF THE OFFENDER FROM  
2 THE PROTECTED AREA. THE SECRETARY MAY CALL ON  
3 OTHER ENFORCEMENT AGENCIES TO ASSIST IN  
4 EXECUTING THE ORDER TO VACATE.

5 "AN EMERGENCY IS DEEMED LIKELY TO OCCUR  
6 WHEN THERE IS A DEMONSTRATED IMPENDING THREAT TO  
7 HUMAN LIFE AND BIODIVERSITY OR TO SPECIES FOUND  
8 WITHIN THE ECOSYSTEM OF THE PROTECTED AREA.

9 "ALL MINERALS, TIMBER OR SPECIES COLLECTED  
10 OR REMOVED FROM THE PROTECTED AREA, INCLUDING  
11 ALL EQUIPMENT, DEVICES, CONVEYANCES, AND FIREARMS  
12 USED IN CONNECTION THEREWITH, SHALL BE FORFEITED  
13 IN FAVOR OF THE GOVERNMENT, AND ANY CONSTRUCTION  
14 OR IMPROVEMENT MADE THEREON BY THE OFFENDER  
15 SHALL BE SUBJECT TO CONFISCATION BY THE PAMO,  
16 SUBJECT TO THE APPLICATION OF DUE PROCESS.

17 "THE CONVEYANCES, VESSELS, EQUIPMENT,  
18 PARAPHERNALIA, IMPLEMENTS, GEARS, TOOLS, AND  
19 SIMILAR DEVICES USED IN THE COMMISSION OF THE  
20 CRIME SHALL BE DEALT WITH IN ACCORDANCE WITH  
21 PART 4, RULE 12 (CUSTODY AND DISPOSITION OF SEIZED  
22 ITEMS, EQUIPMENT, PARAPHERNALIA, CONVEYANCES  
23 AND INSTRUMENTS) OF ADMINISTRATIVE MATTER  
24 NO. 09-6-8-SC (RULES OF PROCEDURES FOR  
25 ENVIRONMENTAL CASES) ISSUED BY THE SUPREME  
26 COURT. HOWEVER, CONFISCATED OR RESCUED  
27 PROTECTED ANIMAL SPECIES SHALL NOT BE SOLD OR IN  
28 ANY MANNER DISPOSED OF, BUT SHALL BE IMMEDIATELY  
29 TURNED OVER TO THE DENR WILDLIFE RESCUE  
30 CENTER FOR REHABILITATION AND RELEASE TO ITS  
31 NATURAL HABITAT, SUBJECT TO EXISTING REGULATIONS.

1 VALUATION OF THE DAMAGE SHALL TAKE INTO ACCOUNT  
2 BIODIVERSITY AND CONSERVATION CONSIDERATIONS AS  
3 WELL AS AESTHETIC AND SCENIC VALUE. THE VALUATION  
4 AND ASSESSMENT BY THE DENR, IN COORDINATION WITH  
5 OTHER CONCERNED GOVERNMENT AGENCIES, SHALL BE  
6 PRESUMED REGULAR, UNLESS OTHERWISE PROVEN BY  
7 PREPONDERANCE OF EVIDENCE.

8 "IF THE OFFENDER IS AN ASSOCIATION OR  
9 CORPORATION, THE PRESIDENT OR MANAGER, WHO IS  
10 PROVEN TO HAVE PARTICIPATED IN OR HAVE ACTUAL  
11 KNOWLEDGE OF ANY VIOLATION AGAINST THE PROVISIONS  
12 OF THIS ACT SHALL BE DIRECTLY LIABLE FOR THE ACT OF  
13 THE EMPLOYEES AND LABORERS: *PROVIDED, FINALLY,*  
14 THAT THE DENR MAY IMPOSE ADMINISTRATIVE FINES  
15 AND PENALTIES CONSISTENT WITH THIS ACT.

16 "ANY PERSON WHO SHALL INDUCE ANOTHER OR  
17 CONSPIRE TO COMMIT ANY OF THE ACTS PROHIBITED IN  
18 THIS ACT, OR FORCE THEIR WORKERS TO COMMIT ANY OF  
19 THE SAME, SHALL BE LIABLE AS PRINCIPAL.

20 "THE PENALTIES SPECIFIED IN THIS SECTION SHALL  
21 BE IN ADDITION TO THE PENALTIES PROVIDED IN  
22 REPUBLIC ACT NO. 9072 OR THE NATIONAL CAVES AND  
23 CAVE RESOURCES MANAGEMENT AND PROTECTION ACT,  
24 REPUBLIC ACT NO. 9147 OR THE WILDLIFE RESOURCES  
25 CONSERVATION AND PROTECTION ACT, REPUBLIC ACT  
26 NO. 8550 OR THE PHILIPPINE FISHERIES CODE OF 1998.

27 "THE CONVICTION OF A PUBLIC OFFICER OR  
28 OFFICER OF THE LAW WHETHER FROM THE LGU OR  
29 ANY NATIONAL GOVERNMENT AGENCY FOR ANY  
30 VIOLATION OF THE PROVISIONS OF THIS ACT SHALL

1 CARRY THE ACCESSORY PENALTY OF PERPETUAL  
2 DISQUALIFICATION FROM PUBLIC OFFICE.”

3 SEC. 19. Insert twelve (12) new sections after Section 21 of  
4 Republic Act No. 7586 to read as follows:

5 “SEC. 22. *TENURED MIGRANTS AND OTHER*  
6 *PROTECTED AREA OCCUPANTS.* – TENURED MIGRANTS  
7 SHALL BE ELIGIBLE TO BECOME STEWARDS OF PORTIONS  
8 OF LANDS WITHIN MULTIPLE-USE ZONES. THE PAMB  
9 SHALL IDENTIFY, VERIFY AND REVIEW ALL TENURIAL  
10 INSTRUMENTS, LAND CLAIMS, AND ISSUANCES OF PERMITS  
11 FOR RESOURCE USE WITHIN THE PROTECTED AREA AND  
12 RECOMMEND THE ISSUANCE OF THE APPROPRIATE  
13 TENURE INSTRUMENT CONSISTENT WITH THE ZONING  
14 PROVIDED IN THE MANAGEMENT PLAN AND THE  
15 PROVISIONS OF THIS ACT.

16 “SHOULD AREAS OCCUPIED BY TENURED MIGRANTS  
17 BE DESIGNATED AS ZONES IN WHICH NO OCCUPATION OR  
18 OTHER ACTIVITIES ARE ALLOWED PURSUANT TO THE  
19 ATTAINMENT OF SUSTAINABLE DEVELOPMENT, THE  
20 PROVISION FOR THE TRANSFER OF THE TENURED  
21 MIGRANTS TO MULTIPLE-USE ZONES OR BUFFER ZONES  
22 SHALL BE ACCOMPLISHED THROUGH JUST AND HUMANE  
23 MEANS: *PROVIDED*, THAT PROTECTED AREA OCCUPANTS  
24 WHO ARE NOT QUALIFIED AS TENURED MIGRANTS SHALL  
25 BE RESETTLED OUTSIDE THE PROTECTED AREA.

26 “THE RIGHTS OF THE TENURED MIGRANTS MAY BE  
27 TRANSFERRED ONLY TO THE SPOUSE OR ONE OF THEIR  
28 DIRECT DESCENDANTS LISTED AT THE TIME OF THE  
29 SURVEY.

30 “IN THE EVENT OF TERMINATION OF A TENURIAL  
31 INSTRUMENT FOR CAUSE OR BY VOLUNTARY SURRENDER  
32 OF RIGHTS, THE PASU SHALL TAKE IMMEDIATE STEPS TO

1 REHABILITATE THE AREA IN ORDER TO RETURN IT TO ITS  
2 NATURAL STATE PRIOR TO THE CULTIVATION OR OTHER  
3 ACTS BY THE TENURED MIGRANT.

4 "FOLLOWING THE PROTECTED AREA FOREST  
5 OCCUPANTS SURVEY REQUIRED UNDER SECTION 5(D)(1)  
6 HEREOF, THE DENR REGIONAL DIRECTOR SHALL  
7 SUBMIT TO THE BIODIVERSITY MANAGEMENT BUREAU  
8 (BMB) WITHIN TWO (2) YEARS FROM THE PASSAGE OF  
9 THIS ACT, THE FINAL LIST OF TENURED MIGRANTS, WHICH  
10 SHALL BE THE BASIS FOR TENURED MIGRANT  
11 RECOGNITION AND ISSUANCE OF TENURIAL  
12 INSTRUMENTS.

13 "THE DENR THROUGH THE BMB SHALL ISSUE  
14 GUIDELINES FOR THE DETERMINATION OF THE  
15 RECKONING PERIOD FOR THE RECOGNITION OF THE  
16 TENURED MIGRANTS."

17 "SEC. 23. *EXISTING RIGHTS.* - ALL PROPERTY AND  
18 PRIVATE RIGHTS WITHIN THE PROTECTED AREA AND ITS  
19 BUFFER ZONES ALREADY EXISTING AND/OR VESTED UPON  
20 THE EFFECTIVITY OF THIS ACT SHALL BE PROTECTED AND  
21 RESPECTED IN ACCORDANCE WITH EXISTING LAWS:  
22 *PROVIDED*, THAT THE EXERCISE OF SUCH PROPERTY AND  
23 PRIVATE RIGHTS SHALL BE HARMONIZED, AS FAR AS  
24 PRACTICABLE, WITH THE PROVISIONS OF THIS ACT.  
25 NOTWITHSTANDING THIS ACT, ALL EXISTING RIGHTS,  
26 CONTRACTS OR AGREEMENTS ENTERED INTO BY  
27 GOVERNMENT FOR THE UTILIZATION OF NATURAL  
28 RESOURCES WITHIN PROTECTED AREAS SHALL CONTINUE  
29 TO BE RECOGNIZED AND GOVERNED BY PHILIPPINE LAWS.

30 "THE RENEWAL OF PERMITS, CONTRACTS AND  
31 AGREEMENTS SHALL BE SUBJECT TO THE PROVISIONS  
32 OF THIS ACT. IF THE PERMITS, CONTRACTS, AND

1 AGREEMENTS ARE NOT RENEWED, SUCH AREAS SHALL BE  
2 REHABILITATED OR RESTORED BY THE PERMIT HOLDERS  
3 WITHIN THE PERIOD PROVIDED BY THE PERTINENT LAWS  
4 AND SHALL REVERT TO NATIONAL PARKS CLASSIFICATION.  
5 AS SUCH, ALL HOLDERS OF PERMITS, CONTRACTS, AND  
6 AGREEMENTS ARE REQUIRED TO PREPARE AND SUBMIT A  
7 REHABILITATION PLAN TO THE PAMB: *PROVIDED*, THAT  
8 SUFFICIENT BOND SHALL BE REMITTED BY THE  
9 PROPONENT TO THE IPAF TO BE RELEASED TO THE  
10 DEPOSITOR UPON THE DECOMMISSIONING OF ALL  
11 EQUIPMENT, STRUCTURES AND IMPROVEMENTS AND THE  
12 REHABILITATION OF THE SITE ACCORDING TO THE ZONES  
13 AND OBJECTIVES OF THE MANAGEMENT PLAN AS  
14 ATTESTED TO BY THE PAMB.

15 "THE OCCUPATION OF LGUs AND COMMUNITIES  
16 WITHIN THE PA SHALL BE RESPECTED. WITHIN NINETY  
17 (90) DAYS AFTER THE CREATION OF THE PAMB, THE  
18 BOARD SHALL ASSESS THE PHYSICAL OCCUPATION OF  
19 SAID LGUs AND COMMUNITIES WITHIN PAS AND  
20 RECOMMEND TO PROPER AUTHORITIES MEASURES TO  
21 ENSURE THE PROTECTION OF THEIR WELL BEING.  
22 MUNICIPALITIES AND CITIES WITH EXISTING TOWNSHIPS  
23 AND TOWN CENTERS WITHIN THE PA SHALL CONTINUE  
24 TO OCCUPY SUCH TOWNSHIPS AND TOWN CENTERS:  
25 *PROVIDED*, THAT IN THE DEVELOPMENT OF THEIR  
26 CLUPs AND BARANGAY DEVELOPMENT PLANS, DUE  
27 CONSIDERATION SHALL BE GIVEN TO THE INTENDED USE  
28 FOR CONSERVATION AND BIODIVERSITY AS WELL AS THE  
29 OBJECTIVES FOR PROTECTED AREAS TO KEEP HUMAN  
30 HABITATION AND ENVIRONMENTAL CONSERVATION IN  
31 HARMONY."

1           "SEC. 24.   *EXISTING FACILITIES WITHIN THE*  
2   *PROTECTED AREA.* - WITHIN SIXTY (60) DAYS FROM  
3   THE EFFECTIVITY OF THIS ACT, AN INVENTORY OF ALL  
4   EXISTING FACILITIES SUCH AS ROADS, BUILDINGS AND  
5   STRUCTURES, WATER SYSTEMS, TRANSMISSION LINES,  
6   COMMUNICATION FACILITIES, HEAVY EQUIPMENT, AND  
7   IRRIGATION FACILITIES, AMONG OTHERS, WITHIN THE  
8   PROTECTED AREA SHALL BE CONDUCTED. THE DENR  
9   REGIONAL DIRECTOR SHALL SUBMIT THE INVENTORY OF  
10   FACILITIES WITH CORRESPONDING DESCRIPTIONS AND AN  
11   ASSESSMENT REPORT CONTAINING THE APPROPRIATE  
12   RECOMMENDATIONS TO THE SECRETARY THROUGH THE  
13   BMB.

14           "THE PAMB, WITH THE ASSISTANCE OF THE DENR,  
15   MAY IMPOSE CONDITIONS FOR THE CONTINUOUS  
16   OPERATION OF A FACILITY FOUND TO BE DETRIMENTAL TO  
17   THE PROTECTED AREA UNTIL ITS EVENTUAL RELOCATION.  
18   IF THE CONDITIONS ARE VIOLATED, THE OWNER OF THE  
19   FACILITY SHALL BE MADE LIABLE PURSUANT TO SECTION  
20   21(D) HEREOF.

21           "EXISTING FACILITIES ALLOWED TO REMAIN WITHIN  
22   THE PROTECTED AREA SHALL BE CHARGED A  
23   REASONABLE FEE BY THE PAMB BASED ON EXISTING  
24   GUIDELINES. STRUCTURES FOUND WITHIN THE FORTY  
25   (40)-METER EASEMENT SHALL BE DEMOLISHED UNLESS  
26   PROVEN NECESSARY TO PROTECT THE SHORELINE AND  
27   MITIGATE HABITAT DESTRUCTION. THE PAMB SHALL  
28   LEVY A REASONABLE FEE FOR THE USE OF SUCH  
29   EASEMENT FOR THEIR CONTINUED OPERATIONS.  
30   WHARVES SHALL BE KEPT ACCESSIBLE TO THE PUBLIC."

1           "SEC. 25. *SPECIAL USES WITHIN PROTECTED*  
2       *AREAS.* - CONSISTENT WITH SECTION 2 HEREOF,  
3       SPECIAL USES MAY BE ALLOWED WITHIN PROTECTED  
4       AREAS EXCEPT IN STRICT PROTECTION ZONES AND STRICT  
5       NATURE RESERVES. THE PAMB MAY RECOMMEND THE  
6       ISSUANCE OF TENURIAL INSTRUMENT SUBJECT TO  
7       COMPLIANCE TO ECC AND PAYMENT OF CORRESPONDING  
8       USER FEE CORRESPONDING TO FIVE PERCENT (5%) OF  
9       THE ZONAL VALUE OF COMMERCIAL LAND WITHIN THE  
10      NEAREST BARANGAY OR MUNICIPALITY WHERE THE  
11      PROJECT IS LOCATED MULTIPLIED BY THE AREA OF  
12      DEVELOPMENT PLUS ONE PERCENT (1%) VALUE OF  
13      IMPROVEMENT AS PREMIUM: *PROVIDED*, THAT THE  
14      ACTIVITY SHALL NOT BE DETRIMENTAL TO ECOSYSTEM  
15      FUNCTIONS AND BIODIVERSITY, AND CULTURAL  
16      PRACTICES AND TRADITIONS."

17          "SEC. 26. *LOCAL GOVERNMENT UNITS.* - THE  
18      LOCAL GOVERNMENT UNITS (LGUs) WITHIN THE  
19      PROTECTED AREA SHALL PARTICIPATE IN ITS  
20      MANAGEMENT THROUGH REPRESENTATION IN THE PAMB  
21      AS PROVIDED FOR IN THIS ACT. SAID LGUS MAY  
22      APPROPRIATE PORTIONS OF THEIR SHARE FROM THE  
23      ANNUAL INTERNAL REVENUE ALLOTMENT AND OTHER  
24      INCOME FOR USE OF THE PROTECTED AREA: *PROVIDED*,  
25      THAT ALL FUNDS DIRECTLY COMING FROM THE LGUS  
26      SHALL BE EXEMPTED FROM THE TWENTY-FIVE PERCENT  
27      (25%) REMITTANCE REQUIREMENT FOR THE IPAF  
28      UNDER SECTION 14 HEREOF.

29          "LOCAL GOVERNMENT UNITS WITH TERRITORY  
30      INSIDE PROTECTED AREAS SHALL ALIGN THEIR  
31      COMPREHENSIVE LAND USE PLANS, LOCAL DEVELOPMENT  
32      PLANS, DISASTER RISK REDUCTION MANAGEMENT PLANS

1 AND OTHER REQUIRED PLANS ACCORDING TO THE  
2 OBJECTIVES SPECIFIED HEREIN AND IN THE PA  
3 MANAGEMENT PLANS. WITHIN SIX (6) MONTHS FROM THE  
4 APPROVAL OF THE PA MANAGEMENT PLAN, THE PAMB  
5 AND THE PASU SHALL COLLABORATE WITH THE LOCAL  
6 GOVERNMENT UNIT CONCERNED IN THE FORMULATION  
7 OF THE CLUP AND OTHER LOCAL PLANS AND IN THE  
8 ENFORCEMENT THEREOF. THE CONCERNED LOCAL  
9 GOVERNMENT UNIT OFFICIAL SHALL BE HELD  
10 ADMINISTRATIVELY AND CRIMINALLY LIABLE FOR  
11 FAILURE TO ENFORCE AND/OR IMPLEMENT THE  
12 PROVISIONS OF THIS ACT."

13 "SEC. 27. *REPORTING RESPONSIBILITY.* - THE  
14 PASU, THROUGH THE PAMB, SHALL SUBMIT AN ANNUAL  
15 ACCOMPLISHMENT REPORT OF THE PROTECTED AREA TO  
16 THE SECRETARY OF THE DENR THROUGH THE BMB.  
17 A REPORT ON THE CONDITIONS AND BENEFITS OF THE  
18 BIOLOGICAL RESOURCES AND ECOSYSTEM SERVICES OF  
19 THE PROTECTED AREA SHALL ALSO BE SUBMITTED BY THE  
20 PASU, THROUGH CHANNELS, TO THE SECRETARY OF THE  
21 DENR EVERY FIVE (5) YEARS. CONSEQUENTLY, THE  
22 BMB SHALL LIKEWISE PREPARE A NATIONAL STATE OF  
23 PROTECTED AREAS (NSPAS) REPORT EVERY FIVE (5)  
24 YEARS AND SHALL SUBMIT THE SAME TO THE PRESIDENT,  
25 THE SENATE AND THE HOUSE OF REPRESENTATIVES."

26 "SEC. 28. *APPROPRIATIONS.* - THE SECRETARY  
27 OF THE DENR SHALL IMMEDIATELY INCLUDE IN THE  
28 DENR'S PROGRAM THE IMPLEMENTATION OF THIS ACT,  
29 THE FUNDING OF WHICH SHALL BE INCLUDED IN THE  
30 ANNUAL GENERAL APPROPRIATIONS ACT."

1           "SEC. 29. *CONSTRUCTION AND INTERPRETATION.* -

2       THE PROVISIONS OF THIS ACT SHALL BE CONSTRUED  
3       LIBERALLY IN FAVOR OF THE PROTECTION AND  
4       REHABILITATION OF THE PROTECTED AREA AND THE  
5       CONSERVATION AND RESTORATION OF ITS BIOLOGICAL  
6       DIVERSITY, TAKING INTO ACCOUNT THE NEEDS AND  
7       INTERESTS OF QUALIFIED TENURED MIGRANTS, VESTED  
8       RIGHTS, IPs AND LOCAL COMMUNITIES, AND THE  
9       BENEFITS FROM ECOSYSTEM SERVICES AND FUNCTIONS  
10      OF PROTECTED AREAS, FOR PRESENT AND FUTURE  
11      GENERATIONS."

12           "SEC. 30.       *SUBSEQUENT       SITE-SPECIFIC*  
13      *LEGISLATION.* - THE PAMB MAY PROPOSE NEW  
14      LEGISLATIONS FOR CONGRESSIONAL ACTION TO  
15      APPROPRIATELY RESPOND TO THE DISTINCT AND  
16      PARTICULAR NEEDS AND CONSERVATION REQUIREMENTS  
17      IN EACH OF THE PROTECTED AREAS LISTED HEREIN, IF  
18      NECESSARY."

19           "SEC. 31. *JOINT CONGRESSIONAL OVERSIGHT*  
20      *COMMITTEE.* - TO MONITOR AND OVERSEE THE  
21      IMPLEMENTATION OF THIS ACT, INCLUDING THE  
22      APPROVAL OF THE RULES AND REGULATIONS ISSUED  
23      PURSUANT HERETO, A JOINT CONGRESSIONAL  
24      OVERSIGHT COMMITTEE IS HEREBY CREATED. IT SHALL  
25      BE COMPOSED OF THE CHAIRPERSONS OF THE SENATE  
26      COMMITTEE ON ENVIRONMENT AND NATURAL  
27      RESOURCES AND THE HOUSE COMMITTEE ON NATURAL  
28      RESOURCES AS CHAIRPERSON AND CO-CHAIRPERSON,  
29      FIVE (5) MEMBERS EACH OF THE SENATE AND THE HOUSE  
30      OF REPRESENTATIVES AS MEMBERS: *PROVIDED, THAT*  
31      TWO (2) OF THE FIVE (5) MEMBERS ARE NOMINATED BY

1 THE RESPECTIVE MINORITY LEADERS OF THE SENATE  
2 AND THE HOUSE OF REPRESENTATIVES.”

3 “SEC. 32. *IMPLEMENTING RULES AND*  
4 *REGULATIONS.* – WITHIN SIX (6) MONTHS FROM THE  
5 EFFECTIVITY OF THIS ACT, THE DENR SHALL PREPARE  
6 THE IMPLEMENTING RULES AND REGULATIONS OF THIS  
7 ACT.”

8 “SEC. 33. *TRANSITORY PROVISION.* – IN ORDER  
9 TO ENHANCE BIOLOGICAL DIVERSITY AND TO DEVELOP  
10 SUSTAINABLE LIVELIHOOD OPPORTUNITIES FOR TENURED  
11 MIGRANTS, THE DENR SHALL HENCEFORTH CEASE TO  
12 ISSUE CONCESSIONS, LICENSES, PERMITS, CLEARANCES,  
13 COMPLIANCE DOCUMENTS OR OTHER INSTRUMENTS THAT  
14 ALLOW UTILIZATION OF RESOURCES WITHIN THE  
15 PROTECTED AREA UNTIL THE MANAGEMENT PLAN SHALL  
16 HAVE BEEN PUT INTO EFFECT.

17 “ALL EXISTING LAND USE AND RESOURCE USE  
18 PERMITS ISSUED FOR ANY RESOURCE UTILIZATION  
19 ACTIVITIES WITHIN THE PROTECTED AREA SHALL BE  
20 REVIEWED AND SHALL NOT BE RENEWED UPON  
21 THEIR EXPIRATION UNLESS CONSISTENT WITH THE  
22 MANAGEMENT PLAN AND APPROVED BY THE PAMB.”

23 SEC. 20. *Separability Clause.* – If any provision of this Act  
24 is declared unconstitutional or invalid, other parts or provisions  
25 hereof not affected thereby shall continue to be in full force and  
26 effect.

27 SEC. 21. *Repealing Clause.* – All laws, decrees, executive  
28 orders, rules and regulations or parts thereof which are contrary to  
29 or inconsistent with this Act are hereby repealed, amended or  
30 modified accordingly: *Provided*, That nothing in this Act shall be  
31 construed as a diminution of local autonomy or in derogation of

1 ancestral domain rights under the Indigenous Peoples' Rights Act of  
2 1997.

3 SEC. 22. *Effectivity*. – This Act shall take effect fifteen (15)  
4 days after its publication in the *Official Gazette* or in any two (2)  
5 newspapers of general circulation.

Approved,

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