

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

Fifteenth Congress
First Regular Session

House Bill No. 185

Introduced by Rep. PRYDE HENRY A. TEVES

EXPLANATORY NOTE

The protection and preservation of the country's resources is one of the states' primordial concerns. Many laws are already passed by Congress to be able to address the same concern. An indispensable requisite to make the laws operational is the availability of sufficient budget and an efficient system of utilizing it. One of the laws that caters to this is Republic Act No. 7586 otherwise known as the national Integrated Protected Areas System Act. This law is basically enacted in order to secure 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.

Provisions of the above-mentioned law relative to the funding for the development and management of the protected areas are incorporated in the law, but the existing system for the disbursement of accounts and utilization of funds of the protected areas are not well crafted to address the need for the effective operation of the law. At present, an Integrated Protected Areas Fund (IPAF) is in existence by virtue of the same law. This was created for the purpose of financing projects of the National Integrated Protected Area (NIPA) System. To realize this purpose, the Implementing Rules and Regulations (IRR) of the law created an IPAF Governing Board who shall administer the fund.

As the said law so provides, all revenues generated from the operation of the NIPA System shall accrue to the fund. Though the IRR provides for the retention by Protected Areas Management Board (PAMB) of the seventy five percent (75%) of the revenues generated, such retention is only made for certain purposes, but the actual funds are still remitted to the IPAF Governing Board at DENR Central Office. To be able to withdraw funds therefrom, the PAMB shall first make a request to the IPAF Governing Board. The whole process from the request up to the withdrawal of funds takes long months of waiting, making it difficult for the PAMB to work as scheduled due to the usual unavailability of funds.

It is the view of these representations that if a portion of the revenue generated will be actually retained to every protected area, it is more feasible to manage and develop these natural parks.

In view of the circumstances presented, it is of great necessity to overhaul the system of how funds are utilized and administered for the development and management of each protected area in the country. Hence, the approval of this bill is highly sought.



PRYDE HENRY A. TEVES
3rd district, Oriental Negros

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

Fifteenth (15th) Congress
First Regular Session

House Bill No. 185

INTRODUCED BY REPRESENTATIVE PRYDE HENRY A. TEVES

**AN ACT AMENDING SECTION 16 OF REPUBLIC ACT NUMBER
7586 OTHERWISE KNOWN AS THE NATIONAL
INTEGRATED PROTECTED AREAS SYSTEM ACT OF 1992.**

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

SECTION 1. Section 16 of Republic Act No. 7586 otherwise known
as the National Integrated Protected Areas System Act of 1992 is hereby
amended as follows:

SEC. 16. **Integrated Protected Areas Fund** – There is
hereby established a trust fund to be known as Integrated
Protected Areas Fund (IPAF) for purposes of financing
projects of the System. The IPAF may solicit and receive
donations, endowments, and grants in the form of
contributions, and such endowments shall be exempted from
income or gift taxes and all other taxes, charges, or fees
imposed by the Government or any political subdivision or
instrumentality thereof.

All incomes generated from the operation of the System
or management of wild *flora* and *fauna* shall accrue to the Fund,
subject to the retention by the board of each protected area of
seventy five percent (75%) of all the revenue raised therefrom.
These incomes shall be derived from:

- (a) Taxes from the permitted sale and export of flora and fauna and
other resources from protected areas;
- (b) Proceeds from lease of multiple-use areas;

- (c) Contributions from industries and facilities directly benefiting from the protected area; and
- (d) Such other fees and incomes derived from the operation of the protected area.

The fund including all donations, grants, endowments from various sources and other contributions shall be deposited in any government bank within the locality where each protected area is located: provided, that if there is no government bank available in the locality, an account shall be opened in a government bank nearest to the locality.

Disbursements from the Fund shall be made solely for the protection, maintenance, administration, and management of the System, and duly approved projects endorsed by the PAMBs, in the amounts authorized by the DENR in accordance with existing accounting, budgeting, and auditing rules and regulations: Provided, that the fund shall not be used to cover personal services expenditures.

SECTION 2. Separability Clause. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the other parts of this Act.

SECTION 3. Repealing Clause. Section 16 of Republic Act No. 7586 and all laws, acts, presidential decrees, executive orders, administrative orders, rules and regulations inconsistent herewith or contrary to the provisions of this Act are deemed amended, modified, or repealed accordingly.

SECTION 4. Effectivity Clause. This act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,