



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

Fifteenth Congress
First Regular Session

HOUSE BILL NO. 2123

Introduced by : **Honorable GEORGE P. ARNAIZ**

EXPLANATORY NOTE

The protection and preservation of the country's natural resources is one of the states' primordial concerns. Many laws are already passed by Congress to be able to address the same issue. An indispensable requisite to make these things operational are the availability of sufficient budget and the system for utilizing it. One of the laws that cater 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.

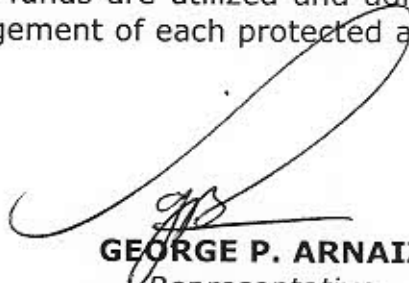
Provisions relative to funding for the development and management of the protected areas are incorporated in the law, but the existing system for the disbursement and utilization of accounts and funds of the protected areas is not well crafted to address the need for the operation of the law. In the present, an Integrated Protected Areas Fund (IPAF) is in existence by virtue of the law. This is created for the purpose of financing projects of the National Integrated Protected Areas System. For this reason, the Implementing Rules and Regulations (IRR) of the law created an IPAF Governing Board that shall administer the fund.

As the law so provides, all incomes generated from the operation of the System shall accrue to the fund. Though the IRR provides for the retention by PAMB of the seventy five percent (75%) of the revenue 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 there from, the PAMB shall first make a request to the IPAF Governing Board. The whole process from the request up to the withdrawal takes long months of waiting which makes it difficult for the PAMB to work as scheduled due to at hand unavailability of funds.

It is of the view of this representation 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 the necessity to overhaul the system of how funds are utilized and administered for the development and management of each protected area in the country.



GEORGE P. ARNAIZ
Representative

2nd District, Oriental Negros



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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 to be known as integrated Protected Areas [(IPAS)] Fund (IPAF) for purposed of financing projects of the System. The [IPAS] IPAF may solicit and receive donations, endowments, and grants in the form of contributions, and such 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 [**and may be utilized directly by the DENR for the above purpose**]. 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 ANY 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 Regional Office **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 – Of 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 the 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,