

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Manila

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 2745



Introduced By Honorable Isidro S. Rodriguez, Jr.

EXPLANATORY NOTE

This bill seeks to establish Pamitinan Cave in the Municipality of Rodriguez, Province of Rizal, as a Protected Area under the category of Protected Landscape.

This area is a part of the 600 hectares Pamitinan Protected Landscape declared under Proclamation No. 901 issued by President Fidel V. Ramos on October 10, 1996.

The coverage of the Pamitinan Cave as a Protected Landscape is consistent with the declared policy of the State to ensure the protection and conservation of the historical, cultural, archeological and ecological significance of the cave.

Historically, it was in this cave where our national hero, Andres Bonifacio, with seven (7) Katipuneros on April 12, 1895 declared independence from the Spanish Colonial Rule, and this declaration was considered as the first cry for independence. This cave up to now bears the inscription "VIVA LA INDEPENDENCIA FILIPINAS" by Gat Bonifacio.

Further this bill is intended to preserve and develop the area for eco-tourism purposes, and to protect the biologically important area as habitat for rare and endangered species of plants, animals, biological zone and related ecosystems, whether marine, terrestrial or wetland.

In view whereof, approval of this bill is earnestly sought.


ISIDRO S. RODRIGUEZ, JR.



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AN ACT
ESTABLISHING PAMITINAN CAVE IN THE MUNICIPALITY OF RODRIGUEZ,
PROVINCE OF RIZAL AS A PROTECTED AREA UNDER THE CATEGORY OF
PROTECTED LANDSCAPE PROVIDING FOR ITS MANAGEMENT AND FOR OTHER
PURPOSES

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

1 **SECTION 1. Title.** – This Act shall be known as the “Pamitinan Protected Landscape
2 (PPL) Act of 2010.

3 **SEC. 2. Declaration of Policy.** – The historical, cultural, archeological and
4 ecological significance of the Pamitinan Cave behooves the State to undertake steps for their
5 protection and preservation.

6 It is therefore the declared policy of the State to ensure its protection and conservation
7 as part of the country’s natural wealth. In so doing, the State shall ensure the full
8 implementation of this Act, the mobilization of resources for the institutional mechanisms
9 herein established, and the full scientific and technical support needed for the conservation of
10 biodiversity and its surroundings and other cave ecosystems.

11 **SEC. 3. Scope and Coverage.** – The boundaries of the Pamitinan Protected Landscape
12 (PPL) within the Municipality of Rodriguez in the Province of Rizal, are as follows:

13
14
15

TECHNICAL DESCRIPTION

Beginning at a point marked "1" on the Map with geographical coordinates 121°10'45.75" longitude and 14°43'18.67" latitude:

Thence Due North at 3,000 meters to Point 2,

Thence Due East at 2,000 meters to Point 3,

Thence Due South at 3,000 meters to Point 4,

Thence Due West at 2,000 meters to Point 1; the point of beginning, containing an area of six hundred (600) hectares.

The Department of Environment and Natural Resources (DENR) shall appropriately mark on the ground the technical descriptions provided in this Act with clearly visible markers and shall prepare appropriate maps therefor. Any modification of the coverage of this Act due to such factors as changing ecological situations, new scientific or archeological findings, or discovery of traditional boundaries not previously taken into account shall be made through an Act of Congress, after consultation with the affected public and concerned government agencies.

SEC. 4. *Land Classification.* – All lands comprising the Pamitinan Protected Landscape (PPL) shall fall under the classification of National Park as provided for in the Philippine Constitution.

SEC. 5. *Buffer Zones.* --Buffer zones surrounding the PPL shall be established pursuant to the NIPAS Act for the purpose of providing an extra layer of protection around the area, where restrictions can apply and communities can assist in repelling threats to the PPL. Such buffer zones shall be managed according to the management plan formulated pursuant to this Act.

1 **SEC. 6. *Definition of Terms.*** – For purposes of this Act, the following terms are
2 defined as follows:

3 (a) “Biodiversity” refers to variety and variability among living organisms and the
4 ecological complexes in which said organisms occur.

5 (b) “Biological Resources” include genetic resources, organisms or parts thereof,
6 population, or any other biotic component of ecosystems with actual or
7 potential use or value for humanity.

8 (c) “Bioprospecting” means the research, collection and utilization of biological
9 and genetic resources for purposes of applying the knowledge derived
10 therefrom solely for commercial purposes.

11 (d) “Buffer Zones” refer to identified areas outside the boundaries of and
12 immediately adjacent to designated protected areas that need special
13 development control in order to avoid or minimize harm to the protected area.

14 (e) “By-products or Derivatives” mean any part taken or substance extracted from
15 wildlife, in raw or in processed form. This includes stuffed animals and
16 herbarium specimens.

17 (f) “Collection or collecting” refers to the act of gathering or harvesting wildlife,
18 its by-products or derivatives.

19 (g) “Conservation” means sustainable utilization of wildlife, and/or maintenance,
20 restoration and enhancement of the habitat.

21 (h) “Ecosystem” means the dynamic complex of plant, animal and micro-
22 organism communities and their non-living environment interacting as a
23 functional unit.

- 1 (i) "Endangered Species" refer to species or subspecies that are not critically
2 endangered but whose survival in the wild is unlikely if the causal factors
3 continue operating.
- 4 (j) "Endemic Species" refer to species or subspecies of flora and fauna which are
5 naturally occurring and found only within specific areas in the country.
- 6 (k) "Exotic Species" refer to species or subspecies of flora and fauna which do not
7 naturally occur within the protected area at present or in historical time.
- 8 (l) "Habitat" means a place or type of environment where species or subspecies
9 naturally occurs or has naturally established its population.
- 10 (m) "Hunting" refers to collection of wild fauna for food and/or recreational
11 purposes with the use of weapons such as guns, bow and arrow, spear and the
12 like.
- 13 (n) "Management Board" refers to the Management Board of the PPL.
- 14 (o) "Management Plan" refers to the fundamental plan, strategy and/or scheme
15 which shall guide all activities relating to the PPL in order to attain the
16 objectives of this Act.
- 17 (p) "PPL" refers to the Pamitinan Protected Landscape.
- 18 (q) "PPL Fund" refers to the revolving fund to be established for the purpose of
19 financing projects in the PPL.
- 20 (r) "Mineral" refers to all naturally occurring inorganic substance in solid, gas,
21 liquid, or any intermediate state including energy materials such as coal,
22 petroleum, natural gas, radioactive materials, and geothermal energy.
- 23 (s) "National Integrated Protected Areas System (NIPAS)" refers to the
24 classification and administration of all designated protected areas to maintain

- 1 essential ecological processes and life-support systems, to preserve genetic
2 diversity, to ensure sustainable use of resources found therein, and to maintain
3 their natural conditions to the greatest extent possible.
- 4 (t) "NIPAS Act" refers to the National Integrated Protected Areas System Act
5 (NIPAS) of 1992 or Republic Act No. 7586, and its Implementing Rules and
6 Regulations.
- 7 (u) "National Park" refers to the land of the public domain classified as such in
8 the 1987 Constitution which includes all areas under the National Integrated
9 Protected Areas System (NIPAS) pursuant to Republic Act No. 7586 primarily
10 designated for the conservation of native plants and animals, their associated
11 habitats and cultural diversity.
- 12 (v) "Non-Governmental Organization (NGO)" refers to an agency, institution,
13 foundation or a group of persons whose purpose is to assist people's
14 organizations/associations in various ways including, but not limited to,
15 organizing, education, training, research and/or resource accessing.
- 16 (w) "People's Organization (PO)" refers to a group of organized migrant
17 communities and/or interested indigenous peoples which may be an
18 association, cooperative, federation, or other legal entity, established to
19 undertake collective action to address community concerns and needs, and
20 mutually share the benefits of the endeavor.
- 21 (x) "Protected Area" refers to identified portions of land and/or water set aside by
22 reasons of their unique physical and biological significance, managed to
23 enhance biological diversity and protected against destructive human
24 exploitation.

- 1 (y) "Protected Area Management Board (PAMB)" refers to a multi-sectoral
2 policy-making body created in accordance with Republic Act No. 7586 or the
3 NIPAS Act of 1992.
- 4 (z) "Protected Area Superintendent (PASu)" refers to the chief operating DENR
5 officer of the PPL.
- 6 (aa) "Protected Landscape" refers to an area of national significance, which is
7 characterized by the harmonious interaction of man and land while providing
8 opportunities for public enjoyment through recreation and tourism within the
9 normal lifestyle and economic activity of the area.
- 10 (bb) "Quarrying" means the process of extracting, removing and disposing quarry
11 resources found on or underneath the surface of private or public land.
- 12 (cc) "Strict Protection Zone" refers to a natural area with high biodiversity value
13 which shall be closed to all human activity except for scientific studies and/or
14 ceremonial or religious use by the indigenous cultural
15 communities/indigenous peoples; may include habitats of threatened species,
16 or degraded areas that have been designated for restoration and subsequent
17 protection, even if these areas are still in various stages of regeneration.
- 18 (dd) "Tenured Migrants" refer to forest occupants who have actually and
19 continuously occupied a portion of the protected area for at least 5 years.(add)
20 and are solely dependent therein for subsistence, as of the passage of this Act.
21 A protected area occupant is understood to be "solely dependent for
22 subsistence" when everything indispensable for survival for the household,
23 including food, clothing, shelter and health, comes only from the utilization of
24 resources from the protected area.

1 (cc) "Wildlife" means wild forms and varieties of flora and fauna, in all
2 developmental stages, including those which are in captivity or are being bred
3 or propagated.

4 **SEC. 7. Management Plan.** – There shall be a Management Plan promulgated for the
5 PPL that shall serve as the basic long-term framework plan in the management of the
6 protected area and guide in the preparation of its annual operations plan and budget.

7 Within one (1) year from the effectivity of this Act, the Management Plan shall have
8 been put into effect following the general management planning strategy provided for under
9 the NIPAS Act and according to the procedure herein set forth. It shall contain, among
10 others, the following:

- 11 (a) The category of the protected area;
- 12 (b) Period of applicability of the plan;
- 13 (c) Key management issues;
- 14 (d) Goals and objectives of management in support of Section 2 hereof;
- 15 (e) Site management strategy;
- 16 (f) Major management activities, such as, but not limited to enforcement of laws,
17 habitat and wildlife management, sustainable use management, infrastructure
18 development and maintenance, and fire and pest control;
- 19 (g) Zoning; and
- 20 (h) Visitor management programs.

21 The Management Plan shall be prepared by the Protected Area Superintendent
22 (PASu) in coordination with the appropriate offices of the department, local communities and
23 the NGOs. It shall be reviewed and approved by the PAMB and certified by the Secretary of
24 the Department. Such certification shall be mandatory to ensure that the plan conforms to all

1 laws and the applicable rules and regulations issued by the Department: *Provided, however,*
2 That the Secretary may revise and modify the protection and conservation plan, after
3 consultation with the PAMB, prior to certification to ensure conformity with applicable laws,
4 rules and regulations.

5 A year before the expiration of the period of the applicability of the plan in effect, the
6 PASu shall cause publication of notices for comments and suggestions on the successor plan
7 in a newspaper of general circulation in the concerned municipalities. Notices shall also be
8 posted in the respective provincial and municipal halls of the concerned provinces and
9 municipalities as well as in the barangay halls bounding or immediately adjacent to the
10 protected landscape. The proposed plan shall be made available to the public during the
11 period for comment and a final plan shall likewise be made available for public perusal at the
12 office of the PASu upon the approval of the PAMB: *Provided,* That the plans shall be plainly
13 written in a language understandable in the area.

14 **SEC. 8. *Management of the Pamitinan Protected Landscape (PPL).*** – There is
15 hereby created a **PAMB** which shall have jurisdiction, power and authority over the PPL for
16 all matters that may affect biodiversity conservation, protection and sustainable development.
17 It shall be composed of:

18 (1) The Regional Executive Director (RED) of DENR Region IV-A as chairperson;

19 (2) The Provincial Planning and Development Coordinator (PPDC) of the Province of
20 Rizal;

21 (3) The Municipal Mayor of Rodriguez in the Province of Rizal, or its duly
22 designated representative;

23 (4) The Barangay Chairman of San Rafael, Rodriguez, Rizal, or its duly designated
24 representative;

1 (5) One (1) representative from each department or national government agency
2 directly involved in the PPL or has long term projects or permanent facility
3 located therein;

4 (6) At least three (3) representatives from an accredited POs/NGOs operating in the
5 PPL, which has been existing for five (5) years with track records related to the
6 protection and management of the PPL;

7 Each member of the PAMB shall serve for a term of five (5) years and shall be
8 considered to represent his or her sector and deemed to carry the vote of such sector in all
9 matters. In the case of members who are government officials, their appointment shall be co-
10 terminus with their term of office. —

11 The members of the PAMB shall be appointed by the Secretary of the DENR in
12 conformity with the provisions of the NIPAS Act. As a transitory provision, the initial
13 members of the PAMB shall be nominated from the current members of the interim PAMB
14 of the PPL; *Provided*, That the PAMB shall include women as members.

15 The representatives from the Local Government Units (LGUs) and national agencies
16 in the PAMB shall include among their duties, the duty to inform their respective
17 constituents, office or sector, of PAMB-approved or other relevant policies, rules,
18 regulations, programs and projects, and to ensure that the provisions of this Act, the NIPAS
19 Act and its Implementing Rules and Regulations are observed, complied with, and used as
20 reference and framework in their respective plans, policies, programs and projects. Failure to
21 comply with the foregoing shall subject such representative to disciplinary action as the
22 PAMB may provide.

23 The members of the PAMB shall not receive any salary but shall be entitled to
24 reimbursements for actual and necessary expenses incurred, either in their attendance in

1 meetings of the PAMB or in connection with other official business authorized by a
2 resolution of the PAMB, subject to existing rules and regulations.

3 **SEC. 9. Powers and Functions of the PAMB.** – The PAMB of the Pamitanan
4 Protected Landscape (PPL), which shall decide by consensus or majority vote of the members
5 present constituting a quorum of majority of all the members, shall have the following
6 powers and functions in addition to those provided under Republic Act No. 7586 or the
7 NIPAS Act of 1992 and its implementing rules and regulations:

8 (1) Issue rules and regulations to prohibit acts that may be prejudicial to the PPL
9 and to the declaration of policy set forth under the NIPAS;

10 (2) Issue rules and regulations for the resolution of conflicts through appropriate
11 and effective means;

12 (3) Adopt rules and procedures in the conduct of business, including the creation
13 of committees to which its powers may be delegated;

14 (4) Approve the management plan and oversee the office of the PASu;

15 (5) Establish criteria and set fees for the issuance of permits for activities
16 regulated by this Act or the management plan;

17 (6) Recommend the deputization of appropriate individuals for the enforcement of
18 the laws, rules and regulations governing the conduct or management of the PPL;

19 (7) Approve fees and charges in accordance with existing guidelines and raise
20 funds for the PPL;

21 (8) Manage the allocation of the Pamitanan Protected Landscape Fund, and other
22 funds for the PPL, ensure their proper administration and render accounting; and

23 (9) Recommend appropriate policy changes to the DENR and other government
24 authorities.

1 The DENR, through the RED, shall ensure that the PAMB acts within the scope of its
2 powers and functions. In case of a conflict between administrative orders of national
3 application issued by the DENR pursuant to the NIPAS Act and the resolutions issued by the
4 PAMB, the PAMB shall notify the DENR Secretary who shall decide whether to apply the
5 rule or withdraw its application in PPL.

6 **SEC. 10. *The Protected Area Superintendent (PASu) Office.*** – There is hereby
7 established a PASu Office within the DENR Regional Office to be in charge of the
8 management, protection and administration of the PPL. The PASu shall be supported by the
9 existing personnel of the DENR. The head of office shall be the chief operating officer of the
10 PPL and shall be directly accountable to the PAMB.

11 The PASu shall have full responsibility for the protection of land, water, wildlife and
12 other natural physical and biological resources within the PPL. As such, the PASu shall have
13 the following duties and responsibilities in addition to those provided under the NIPAS and
14 its Implementing Rules and Regulations:

- 15 (1) Establish, operate and maintain a database management system as decision
16 support tool;
- 17 (2) Prepare the management plans as herein defined;
- 18 (3) ~~Provide a secretariat for the PAMB~~ and supply the PAMB with all the
19 necessary information to make appropriate decisions for the implementation of this Act;
- 20 (4) Enforce the laws, rules and regulations relevant to the PPL, institute and file
21 legal action independently or in collaboration with other government agencies or
22 organizations and assist in the prosecution of offenses committed in violation of this Act;
- 23 (5) Monitor all activities within the PPL to ensure its conformity with the
24 management plan;

1 (6) Recommend the issuance of permits based on terms, conditions and criteria
2 established by the PAMB;

3 (7) Ensure the integration of the PPL management policies, regulations, programs
4 and projects at all the concerned national and Local Government Unit levels; and

5 (8) Perform such other functions as the PAMB may delegate.

6 The PASu shall be supported by sufficient number of personnel who shall be
7 performing day to day management, protection and administration of the PPL. Upon the
8 recommendation of the PAMB, the DENR Regional Executive Director shall deputize local
9 community leaders and environment and natural resource officers.

10 **SEC. 11. *Pilgrimage.*** – People who enter the PPL for cultural and religious purpose
11 and other activities that have a benign impact on the sustainability and biodiversity of the
12 area shall be regulated by the PAMB. For such purpose, the PAMB shall designate parts of
13 the PPL where cultural and religious activities are allowed under terms and conditions
14 pursuant to Section 7 of this Act.

15 **SEC. 12. *Pamitinan Protected Landscape Fund.*** – There is hereby established a
16 revolving fund to be known as the PPL-Fund for purposes of financing projects in the PPL.

17 Income shall be derived from fees from visitors/tourists, fees from permitted sale and
18 export of flora and fauna and other resources from the PPL, proceeds from the registration
19 and lease of multiple-use areas, including tourism concessions, fees, proceeds, and
20 contributions from industries and facilities directly benefiting the PPL, and such other fees
21 and income derived from the operation of the PPL: *Provided*, That the seventy-five percent
22 (75%) shall be set aside and retained by the PAMB which shall appropriate the same
23 exclusively for the management and operation of the PPL: *Provided, further*, That the

1 remaining twenty-five percent (25%) shall be remitted to the Central Integrated Protected
2 Areas Fund (IPAF).

3 The PPL Fund may be augmented by grants, donations, endowment from various
4 sources, domestic or foreign, for purposes related to their functions: *Provided*, That
5 disbursements therefrom shall be made solely for the protection, maintenance, administration
6 and management of the system, and duly approved projects endorsed by the PAMB in
7 accordance with existing accounting and budgeting rules and regulations: *Provided, further*,
8 That the Fund shall not be used to cover personal services expenditures.

9 The LGUs shall continue to impose and collect all other fees not enumerated herein
10 which they have traditionally collected, such as business permits and rentals of LGUs
11 facilities. *Provided, that* the LGUs shall not impose property tax and issue new tax
12 declaration for areas covered by the PPL. Furthermore, LGUs may charge add-ons to fees
13 imposed by the PAMB provided that such add-ons shall be based on the contribution of the
14 LGUs in the maintenance and protection of the PPL.

15 **SEC. 13. Tenured Migrants and Other PPL Stakeholders.** – Tenured Migrants shall
16 be eligible to become stewards of portions of lands within allowable zones. The PAMB shall
17 identify, verify and review all tenurial instruments, land claims, and issuances of permits for
18 resource use within the PPL and recommend the issuance of the appropriate tenure
19 instrument consistent with the zoning provided in the Management Plan.

20 Should areas occupied by Tenured Migrants be designated as zones in which no
21 occupation or other activities are allowed pursuant to the attainment of sustainable
22 development, provision for the transfer of said Tenured Migrants to multiple use zones or
23 buffer zones shall be accomplished through just and humane means.

1 In the event of termination of a tenorial instrument for cause or by voluntary surrender
2 of rights, the PASu shall take immediate steps to rehabilitate the area in order to return it to
3 its natural state prior to the cultivation or other act by the Tenured Migrant.

4 Within three (3) months from the passage of this Act, the PASu shall submit to the
5 PAMB the complete list of Tenured Migrants which list shall be final upon approval of the
6 PAMB.

7 **SEC. 14. Existing Facilities Within the PPL.** – Within sixty (60) days from the
8 effectivity of this Act, existing facilities such as roads, buildings, water systems, transmission
9 lines, communication facilities, heavy equipment, and irrigation facilities existing within the
10 boundaries of the PPL shall submit project descriptions to the PAMB through the PASu.

11 The PAMB, with the assistance of the DENR, shall determine whether the existence
12 of such facility and its future plan and operations will be detrimental to the PPL or whether
13 conditions for its operation shall be imposed. If any such conditions are violated, the owner
14 of the facility shall be liable to pay a fine of Five thousand pesos (P5,000.00) for every
15 violation. Upon reaching a total fine of Five hundred thousand pesos (P500,000.00), the
16 PAMB through the PASu and deputizing other government entities, shall cause the cessation
17 and demolition of the facility at the cost of its owner.

18 Existing facilities allowed to remain within the PPL may be charged a reasonable
19 royalty by the PAMB. All income from such royalty shall accrue to the PPL Fund.

20 **SEC. 15. Renewable and Non-Renewable Resources.** – Any exploration and
21 exploitation or utilization of nonrenewable resources including mining within the PPL shall
22 not be allowed. Renewable energy projects within the PPL shall be permitted only through an
23 Act of Congress except energy from wind, sun and water sources and not more than three (3)
24 megawatt capacity for mini-hydro power: *Provided*, That these renewable energy projects are

1 outside the strict protection zone, adopt reduced impact technologies, and undergo the
2 Environmental Impact Assessment (EIA) system as provided by law and: *Provided, further,*
3 That the PAMB has endorsed the project.

4 **SEC. 16. *Special Prosecutor and Retained Counsel.*** – Within thirty (30) days from
5 the effectivity of this Act, the Department of Justice (DOJ) shall appoint a special prosecutor
6 to whom all cases of violation of laws, rules and regulations in the PPL shall be assigned.
7 Such Special Prosecutor shall coordinate with the PAMB and the PASu in the performance of
8 his/her duties and assist in the training of wardens and rangers in arrest and criminal
9 procedures. The PAMB may retain the services of counsel to prosecute and/or assist in the
10 prosecution of cases under the direct control and supervision of the regular or special
11 prosecutor and to defend the members of the PAMB, the PASu and the staff, or any person
12 assisting in the protection, conservation and sustainable development of the PPL, against any
13 legal action related to their powers, functions and responsibilities as provided in this Act or as
14 delegated or tasked by the PAMB.

15 **SEC. 17. *Local Government Units.*** – The local government units (LGUs) within the
16 PPL shall participate in its management through representation in the PAMB as provided
17 under Section 8 hereof. Said LGUs may appropriate portions of their share from the annual
18 internal revenue allotment and other income for use of the PPL: *Provided, That* all funds
19 directly coming from the LGUs shall be exempted from the twenty-five percent (25%)
20 remittance requirement for the central Integrated Protected Area Fund (IPAF).

21 **SEC. 18. *Prohibited Acts and Penalties.*** – The following shall be the prohibitions
22 and penalties applicable to the PPL, in addition to the prohibited acts as provided in the
23 NIPAS Act and its Implementing Rules and Regulations:

- 1 (A) The penalties and qualifications prescribed in Articles 309 and 310 of the
2 Revised Penal Code, depending on the value of the resources involved in connection with the
3 prohibited act or a fine of at least triple the value of the said resources or both shall be
4 imposed upon any person who:
- 5 (1) Takes, destroys, collects, disturbs or possesses any wild terrestrial or aquatic
6 plants or animals, flora or fauna, sand, rocks or by-products derived therefrom,
7 within particularly identified regulated or prohibited areas zones in the PPL
8 including private lands without the necessary permit, authorization or
9 exemption: *Provided*, That hunting of animals shall be absolutely prohibited
10 except for scientific research;
- 11 (2) Cuts, gathers, removes or collects timber or any forest products, within
12 particularly identified regulated or prohibited areas or zones in the PPL
13 including private lands without the necessary permit, authorization or
14 exemption;
- 15 (3) Possesses or transports, within or outside the PPL any timber, forest products,
16 wild terrestrial or aquatic plants, animals, or by-products derived therefrom
17 which is ascertained to have been taken from the PPL;
- 18 (4) Undertakes mineral exploration or extraction within the PPL;
- 19 (5) Engages in quarrying of sand, gravel, guano, limestone or any material within
20 the PPL;
- 21 (6) Hunts, collects, removes or destroys any endangered or protected species, except
22 when collection or removal is for scientific research and exempted from the
23 prohibition by the PAMB;

- 1- (7) Conducts bioprospecting within the PPL without prior PAMB approval in
2 accordance with existing guidelines;
- 3 (8) Engages in *kaingin*, or, in any manner, causing forest fires inside the PPL; or
- 4 (9) Establishes or introduces any exotic species, within the PPL, which are
5 detrimental to endemic species and the ecosystem therein.
- 6 (B) A fine of not less than Five thousand pesos (P5,000.00) but not more than Five
7 hundred thousand pesos (P500,000.00) or imprisonment from one (1) year but not more
8 than six (6) years or both shall be imposed upon any person who:
- 9 (1) Violates any rules and regulations in the management plan or by the PAMB or
10 agreements reached before the PAMB in the exercise of adjudicative functions;
- 11 (2) Erects any structure on land or on water for any purposes outside management
12 plan, duly allowed by the PAMB: *Provided*, That large-scale private
13 infrastructure and other projects such as medium to high density residential
14 subdivisions, medium to large commercial and industrial establishments, heavily
15 mechanized commercial and non-traditional farming, and other activities that
16 cause increased in-migration and resource degradation are absolutely prohibited;
- 17 (3) Possesses a chainsaw, hacksaw and other mechanized equipment within the PPL
18 without a permit;
- 19 (4) Throws, dumps or causes to be dumped into the PPL any non-biodegradable
20 material or waste whether liquid, solid or gas;
- 21 (5) Uses, dumps, places or causes to be placed into the PPL toxic chemicals and
22 non-biodegradable products, including pesticides and other hazardous
23 substances, soaps and shampoos, and washing detergents, unless the same is
24 expressly allowed in the management plan;

- 1 (6) Prospects, hunts or otherwise locates hidden treasures within the PPL;
- 2 (7) Informally occupies or dwells in any land within the PPL without clearance
- 3 from the PAMB;
- 4 (8) Possesses or uses blasting caps or explosives anywhere within the PPL;
- 5 (9) Destroys, excavates, vandalizes or, in any manner, damages any natural
- 6 formation on land, religious, spiritual, historical sites, artifacts and other objects
- 7 of natural or scenic value;
- 8 (10) Alters, removes or destroys boundary marks or signs;
- 9 (11) Purchases, or sells, mortgages or leases lands or other portions of the PPL which
- 10 are covered by any tenorial instrument.

11 Valuation of the damage for this Act shall take into account biodiversity and

12 conservation considerations as well as aesthetic and scenic value. Valuation assessed by the

13 DENR or the concerned government agency shall be presumed correct unless otherwise

14 proven by preponderant evidence.

15 Any person who shall induce another or conspire to commit any of the illegal acts

16 prohibited in this Act or suffer their workers to commit any of the same shall be liable in the

17 same manner as the one actually performing the act.

18 All conveyances, vessels, equipments, paraphernalia, implements, gears, tools and

19 similar devices shall be subject to immediate and administrative confiscation, independent of

20 the judicial proceedings by the PASu Office upon apprehension, subject however to due

21 process and substantial evidence requirements. When legal action is however, filed in the

22 regular courts, the said conveyances, vessels, equipments, paraphernalia, implements, gears,

23 tools and similar devices, independent of the administrative proceedings, shall not be released

24 until after judgment has been rendered. Proceeds of the sale of all objects administratively or

1 judicially confiscated pursuant hereto shall accrue to the PPL Fund. Procedure for the sale
2 thereof shall be promulgated by the PAMB. However, in no case shall any confiscated or
3 rescued protected animal species be sold or in any manner disposed of but shall be
4 immediately turned over to the PASu Office for release in its natural habitat, subject to
5 existing regulations.

6 The penalties specified in this Section shall be in addition to the penalties contained in
7 Republic Act No. 9072 (National Caves and Cave Resources Management and Protection
8 Act), Republic Act No. 9147 (Wildlife Resources Conservation and Protection Act), and
9 other related laws.

10 Conviction for any offense under this Act of a public officer or officer of the law shall
11 carry the accessory penalty of perpetual disqualification from public office.

12 **SEC. 19. *Reporting Responsibility.*** – The PASu, through the PAMB, shall submit an
13 annual accomplishment report to the Secretary of the DENR on the activities undertaken in
14 the PPL.

15 **SEC. 20. *Appropriations.*** – The Secretary of the DENR shall immediately include in
16 the DENR's program the implementation of this Act, the funding of which shall be included
17 in the annual General Appropriations Act.

18 **SEC. 21. *Construction and Suppletory Application of Existing Laws.*** – The
19 provisions of this Act shall be construed liberally in favor of the protection and rehabilitation
20 of the PPL and the conservation and restoration of its biological diversity, taking into account
21 the needs and interests of qualified tenured migrants, for present and future Filipino
22 generations.

23 The NIPAS Act shall have suppletory effect in the implementation of this Act.

1 **SEC. 22. *Transitory Provision.*** – In order to ensure the recovery and restoration of
2 biological diversity and to develop sustainable livelihood opportunities for Tenured
3 Migrants, the DENR shall henceforth cease to issue concessions, licenses, permits
4 clearance, compliance documents or any other instrument that allows exploitation and
5 utilization of resources within the PPL until the Management Plan shall have been put into
6 effect.

7 All existing land use and resources use permits within PPL shall be reviewed and
8 shall not be renewed upon their expiration unless consistent with the Management Plan and
9 approved by the PAMB.

10 **SEC. 23. *Repealing Clause.*** – For the purpose of this Act, the provisions of Republic
11 Act No. 7586 or the NIPAS Act are hereby modified in accordance with the herein provisions.
12 All other laws, rules and regulations inconsistent with this Act are hereby repealed or
13 modified accordingly. The prohibitions and penalties under Republic Act No. 7586 are hereby
14 superseded for the entire area covered by this Act.

15 **SEC. 24. *Separability Clause.*** – If any part of section of this Act is declared by the
16 courts as unconstitutional, such declaration shall not affect the other parts or sections hereof.

17 **SEC. 25. *Effectivity Clause.*** – This Act shall take effect fifteen (15) days after
18 publication in the Official Gazette or in two (2) national newspapers of general circulation.

19 **Approved.**