

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City

**TWENTIETH CONGRESS**  
First Regular Session

**House Bill No. 8847**



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Introduced by **REP. JAVIER MIGUEL L. BENITEZ**

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**EXPLANATORY NOTE**

The Verde Island Passage (“VIP”), a 100-kilometer strait located within the Coral Triangle and spanning the provinces of Batangas, Marinduque, Occidental Mindoro, Oriental Mindoro, and Romblon, is globally recognized as the “center of the center of marine shorefish biodiversity”.<sup>1</sup> Its rich marine ecosystems, comprising of coral reefs, mangroves, and seagrass beds, support not only ecological balance but also food security, local livelihoods, and the long-term resilience of coastal economies.<sup>2</sup>

Despite its ecological and socio-economic importance, the Verde Island Passage is increasingly under pressure. Destructive fishing practices, marine pollution, unregulated coastal development, and expanding industrial activities in energy, shipping, and tourism are accelerating ecosystem degradation and threatening the sustainability of marine resources.<sup>3</sup> These challenges, if left unaddressed, will have direct consequences on fisheries productivity, community livelihoods, and the broader blue economy that supports thousands of Filipino families.

Experts affirm that ongoing industrial and environmental pressures are already altering marine habitats and affecting reef-fish communities in the VIP. At the same time, population growth and rising demand for marine resources continue to intensify these pressures. These conditions call for a more coherent, science-based, and forward-looking governance framework that can effectively balance environmental protection with sustainable development.

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<sup>1</sup> K. E. Carpenter & Victor G. Springer, *The Center of the Center of Marine Shore Fish Biodiversity: The Philippine Islands*, 72 *Envtl. Biol. Fishes* 467 (2005).

<sup>2</sup> Rowena Boquiren, Giuseppe Di Carlo & Miledel Christine Quibilan, *Adapting to Climate Change: Maintaining Ecosystem Services for Human Well-being in the Verde Island Passage, Philippines* (Conservation International & IAN-UMCES 2010).

<sup>3</sup> *Id.*

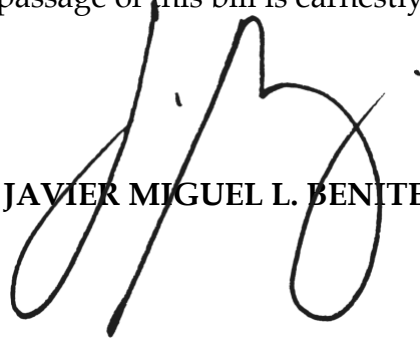
While existing environmental laws, including the Expanded National Integrated Protected Areas System Act of 2018, provide a mechanism for the establishment of protected areas, the scale, strategic importance, and multi-jurisdictional nature of the Verde Island Passage require a dedicated statutory approach. A clear legal framework is necessary to harmonize policies across provinces, strengthen enforcement, and ensure that conservation efforts are sustained, coordinated, and responsive to emerging challenges.

This measure therefore seeks to declare the Verde Island Passage as a protected area under the category of Protected Seascape within the National Integrated Protected Areas System (“NIPAS”), to be known as the Verde Island Passage Protected Seascape (“VIPPS”). It establishes a comprehensive policy framework for conservation, protection, rehabilitation, and sustainable use, supported by science-based zoning, including Strict Protection Zones, Multiple-Use Zones, Buffer Zones, and No-Take Zones, as well as a participatory and regularly updated management plan.

Recognizing the State’s obligation to balance environmental protection and social justice, the bill protects the constitutional right of subsistence fishers by ensuring their preferential and regulated access to designated areas of the VIPPS, while strictly regulating municipal and commercial fishing outside Strict Protection and No-Take Zones through licensing, permitting, and science-based fisheries monitoring.<sup>4</sup> The creation of a Fisheries Monitoring Center (FMC) for the VIPPS will enable regular assessment of fishery resources, identification of critical habitats, and science-based declaration or lifting of No-Take Zones.

Ultimately, this measure positions the Verde Island Passage not only as a protected ecological asset, but as a model for sustainable marine governance; one that integrates environmental protection, economic resilience, and inclusive development. By securing the long-term health of this critical marine corridor, we also safeguard food security, strengthen coastal economies, and build climate resilience for present and future generations.

In view of the foregoing, the immediate passage of this bill is earnestly sought.



JAVIER MIGUEL L. BENITEZ

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<sup>4</sup> 1987 Philippine Constitution, Art. XIII, Sec. 7; RA 8550 as amended by RA 10654.

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**AN ACT DECLARING THE VERDE ISLAND PASSAGE IN THE PROVINCES OF BATANGAS, MARINDUQUE, OCCIDENTAL MINDORO, ORIENTAL MINDORO, AND ROMBLON, A PROTECTED AREA WITH THE CATEGORY OF PROTECTED SEASCAPE UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS), TO BE REFERRED TO AS THE VERDE ISLAND PASSAGE PROTECTED SEASCAPE, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR**

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

**SECTION 1. Title.** - This Act shall be known as the "Verde Island Passage Protected Seascape (VIPPS) Act of 2026".

**SEC. 2. Declaration of Policy.**- In acknowledgement of the global recognition of the area as the "center of the center of marine shorefish biodiversity" and cognizant of the profound impact of human activities on all components of the natural environment, the Verde Island Passage in the Provinces of Batangas, Occidental Mindoro, Oriental Mindoro, Marinduque, and Romblon, is hereby declared a protected area with the category of Protected Seascape and shall hereinafter be referred to as the Verde Island Passage Protected Seascape. As such, the State shall ensure the conservation, protection and proper management of this globally significant area. The government shall also

undertake the rehabilitation of a target ecosystem when determined as needed, guided by sound science and competent perusal of experts. It is likewise recognized that effective administration of this area is possible only through cooperation and collaboration among national government agencies, local government units (“LGUs”), fisheries and aquatic resources management councils (“FARMCs”), concerned non-government organizations (“NGOs”), private entities and local communities. The use and enjoyment of this area must be consistent with the principles of biological diversity and sustainable development taking into consideration all applicable laws and international conventions to which the Philippines is a signatory.

11 In recognition of the welfare of coastal communities across the Verde Island Passage, the State shall also protect the right of subsistence fisherman, pursuant to Section 7, Article XIII of the 1987 Philippine Constitution. Fisherfolk, especially from local communities which rely on the resources of the Verde Island Passage shall not be deprived of their livelihood while the State pushes for the protection, development, and conservation of marine resources in the Verde Island Passage by giving them preferential use and regulated access to a designated portion thereof, and the Implementing Rules and Regulations of which are to be formulated in consultation with relevant scientific experts and stakeholders.

**SEC. 3. *Definition of Terms.*** - For purposes of this Act, the following terms shall be defined as follow:

- (a) *Conservation* refers to any act or acts of preservation and sustainable utilization of wildlife or maintenance, restoration and enhancement of habitats;
- (b) *Ecosystems* refers to dynamic complex of plant, animal and micro- organism communities, and their non-living environment, interacting as a functional unit;
- (c) *Buffer Zone* refers to the identified area outside the boundaries of and immediately adjacent to the VIPPS that needs special development control in order to avoid or minimize harm to the protected area;
- (d) *Collecting* refers to the act of gathering or harvesting wildlife and its by-products or derivatives;
- (e) *Conveyance* refers to every kind of vessel, including motorized or non- motorized vehicles, non-displacement crafts and seaplanes that are used or may be used as a means of transportation on land or water. It shall include everything found therein, except personal effects;

- (f) *Commercial Fishers* refers to persons who catch fish and other fisheries products using fishing vessels of more than three (3) gross tons;
- (g) *Coral* refers to either of the following: the sessile marine invertebrates under Class Anthozoa of Phylum Cnidaria, whose individual units are called polyps. This includes stony or hard corals, and soft corals; or the hard calcareous substance made up of the skeleton of marine anthozoan polyps which compose reefs, shelves and atolls, or any of the other stony masses formed by the skeletons of colonies of polyps. This includes: (a) skeletons of anthozoans characterized as having a rigid axis of compact calcareous or horny spicules, belonging to the genus *Corallium* as represented by the red, pink and white corals which are considered precious corals; (b) skeletons of anthozoans characterized by thorny, horny axis such as the antipatharians represented by the black corals which are considered semi-precious corals; and (c) ordinary corals which are any kind of corals that are not precious nor semi-precious;
- (h) *Coral Reef* refers to a natural aggregation of coral skeleton, with or without living coral polyps, occurring in intertidal, subtidal marine waters, or mesophotic zones;
- (i) *Delineation* refers to the actual ground survey of the boundaries of the protected area, its buffer zones, and management zones using the global positioning system (GPS) or other applicable survey instruments and technologies, with the intention of producing a map of the area;
- (j) *Demarcation* refers to the establishment of the boundaries of protected areas and their buffer zones using visible markers, monuments, buoys, or GPS markers, as a result of actual ground delineation;
- (k) *Ecosystems* 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;
- (l) *Exploration* refers to the act of searching or prospecting for mineral or energy 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 the existence, extent, quantity, and quality of resources in an area, and the feasibility of utilizing these resources for profit;

- (m) *Extraction* refers to the industrial processes and activities involved in the removal of natural resources from the VIPPS for commercial purposes, including but not limited to: (a) mining operations for the extraction of minerals, metals, aggregates, sand, gravel, or other geological materials from the seabed, seafloor, or coastal areas; (b) oil and gas exploration, drilling, and extraction activities; (c) quarrying operations; (d) large-scale harvesting of marine resources for industrial processing; and (e) any other industrial-scale removal of natural resources that involves the use of heavy machinery, equipment, or infrastructure.
- (n) *Fisheries Monitoring Center (FMC)* refers to a specialized technical body established to conduct scientific assessment, monitoring, and management of fishery resources within the VIPPS;
- (o) *Fishery/Fisheries Management Area* refers to a bay, gulf, lake, strait or any other fishery area which may be delineated for fishery resource management purposes, as defined in Republic Act No. 10654 amending Republic Act No. 8550;
- (p) *Fishing* - the taking of fishery species from their wild state of habitat, with or without the use of fishing vessels.
- (q) *Gear* refers to any instrument or device and its accessories utilized in taking, catching, gathering, killing, hunting, destroying, disturbing, removing, or possessing resources within the protected area;
- (r) *Genetically Modified Organism (GMO)* refers to any living organism that possesses a novel combination of genetic material through the use of modern biotechnology;
- (s) *Hunting* refers to the killing or catching of wild fauna for food and recreational purposes, with the use of weapons such as guns, bow and arrow, spears, traps and snares, and the like;
- (t) *Integrated Protected Area Fund (IPAF)* refers to the special account established for the purpose of financing projects of the NIPAS and individual protected areas;
- (u) *Indigenous Peoples (IPs)* refer to a group of people sharing common bonds of language, customs, traditions, and other distinctive cultural traits, and who have, since time immemorial, occupied, possessed and utilized a territory;
- (v) *Invasive Alien Species (IAS)* refers to species introduced deliberately or unintentionally outside their natural habitats where they have the ability to establish themselves, invade, outcompete native species, and take over the new

environment;

- (w) *Littering* can refer to the disposal of small amounts of biodegradable solid and liquid wastes as well as non-biodegradable solid waste materials such as, but not limited to, cigarette butts, candy wrappers, plastic materials, bottles and glasses;
- (x) *Multiple-use Zone (MUZ)* refers to the area where settlement, traditional and sustainable land use including agriculture, agroforestry, extraction activities, and income generating or livelihood activities may be allowed to the extent prescribed in the protected area management plan;
- (y) *Municipal Fishers/Fisherfolk* refers to persons who catch fish and other fisheries products using fishing vessels of three (3) gross tons or less, or whose fishing does not require the use of fishing vessels.
- (z) *National Integrated Protected Areas System (NIPAS)* refers to classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;
- (aa) *No-take Zones ("NTZ")* - No-take Zones are areas within the VIPPS where no fishing, mining, drilling or other extractive activities are allowed, until such time that the Fisheries Monitoring Center declares that fishing activities may be opened to small-scale fishers/fisherfolk. An NTZ is identified by the Fisheries Monitoring Center based on the regular fishery resources survey that they conduct.
- (bb) *Non-government Organization (NGO)* refers to any civic, developmental, environmental or philanthropic non-stock, non-profit organization, duly registered, having bylaws, democratically-elected representatives, with qualifications, expertise and objectivity in activities concerning community organizing and development, or resource and environmental conservation, management and protection related to the protected area;
- (cc) *Non-renewable Resources* refer to those resources that cannot be remade, regrown or regenerated on a scale compared to its consumption;
- (dd) *Noxious or Poisonous Substances* refers to any substance, plant extracts or juice thereof, sodium cyanide and/or cyanide compounds, or other chemicals either in raw or processed form, explosives such as dynamite, or other explosive

devices, harmful or harmless to human beings, which will kill, stupefy, disable or render unconscious any marine organism and capable of damaging or altering the natural habitat;

- (ee) *Occupying* refers to a continuous stay of individuals or groups within a protected area, whether residing or engaging in the cultivation of land or fishing for more than twenty-four (24) hours;
- (ff) *People's Organization (PO)* refers to a group of people which may be an association, cooperative, federation, aggrupation of individuals or groups with an identifiable structure of decision-making and accountability, established to undertake collective action to address community concerns and needs in relation to the protected area;
- (gg) *Poaching* refers to gathering, collecting, or possessing products or natural resources from the protected area by any individual person, corporation or entity whether local or foreign; in the case of marine protected areas, operating any foreign fishing vessels by any person, corporation, or entity without a permit;
- (hh) *VIPPS* refers to the Verde Island Passage Protected Seascape;
- (ii) *VIPPS PAMB* refers to the VIPPS Protected Area Management Board;
- (jj) *Protected Area* refers to identified portions of land and/or water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;
- (kk) *Protected landscapes and/or seascapes* refers to areas of national significance which are characterized by the harmonious interaction of man and land and water while providing opportunities for public enjoyment through recreation, tourism and other economic activities;
- (ll) "*Protected Area Retained Income Account (PA-RIA)*" refers to the trust fund maintained by any protected area and administered by the respective Protected Area Management Boards (PAMB) created pursuant to this Act representing the seventy-five percent (75%) of revenues generated from the protected area to support its operation and management;
- (mm) *Protected Species* refers to plants or animals declared protected under Philippine laws, rules, and regulations. These shall include all species listed under the Convention on International Trade in Endangered Species of Wild Fauna and

Flora and all its Annexes, the Convention of Migratory Species (CMS), those specified under the red-list categories of the International Union for Conservation of Nature and Natural Resources (IUCN), or any plant or animal which the Department of Environment and Natural Resources (DENR), PAMB or any government agency may deem necessary for conservation and preservation in the protected area;

- (nn) *Quarrying* refers to the process of extracting, removing, and disposing sand, gravel, guano, limestone, and all other resources used as building and construction materials that are found within the protected area;
- (oo) *Special Account in the General Fund (SAGF)* refers to the trust fund deposited in the national treasury representing the twenty-five percent (25%) of the revenues generated from the operation of individual protected area and earmarked to support the NIPAS;
- (pp) *Fisheries Management Area (FMA)* refers to any Fishery/Fisheries Management Area, as defined in RA No. 10654 amending RA No. 8550, designated through a Presidential Proclamation or any other form of policy issuance;
- (qq) *Small-scale Fishers/Fisherfolk* refers to persons who catch fish and other fisheries products for subsistence and using only passive fishing gears;
- (rr) *Special Use Agreement in Protected Areas (SAPA)* refers to a binding instrument between the DENR, as the first party, and the project proponent as the second party, relating to the use and/or development of land, resources or facilities within protected areas, pursuant to the ENIPAS Act;
- (ss) *Strict Protection Zone ("SPZ")* refers to portions within protected areas that are closed to human activities by virtue of their significant biodiversity value, high susceptibility to geo-hazards, and identification as permanently dangerous. These areas may also include habitats of threatened species, or degraded areas that are designated for restoration and subsequent protection, regardless of their stages of regeneration;
- (tt) *Special Uses* refers to activities or development interventions that may be allowed in designated portions of protected areas subject to the payment of user fee. This may include but not limited to: hotels, resorts and other tourism facilities, communication facilities and transmission lines, large scale power generation lines, large scale power generation projects, large scale agriculture and

aquaculture projects, underwater extraction activities, offshore energy projects including but not limited to offshore wind farms, wave energy systems, tidal energy installations, floating solar arrays, oil and gas platforms, submarine cable installations, and other marine infrastructure developments. Excluded from the coverage are activities and development interventions in titled properties, areas already covered by foreshore and miscellaneous leases as well as Forest Land Use Agreements/Forestland Use Agreements for Tourism issued by the DENR, and other regular uses of protected areas as indicated in the protected area management plan;

- (uu) *Special Use Agreement in Protected Areas (SAPA)* refers to a binding instrument between the DENR, as the first party, and the project proponent as the second party, relating to the use and/or development of land, resources or facilities within protected areas, pursuant to the NIPAS Act as amended;
- (vv) *Wildlife* refers to the wild forms and varieties of flora and fauna, in all developmental stages, including those which are in captivity or are being bred, fed, or propagated.

**SEC. 4. *Scope and Coverage.*** - The boundaries of the Verde Island Passage Protected Seascape are more particularly described as the area beginning at a point marked "1" on the map being N 65-28-19 W, 2247.547 meters from PRS'92 Control Monument MMRW-46" with geographic coordinates of 13-53-28.86533" N, 120-2-47.07852" E, located at Brgy. Cabra (Cabra Island), Lubang, Occidental Mindoro.

The point of beginning containing an area of one million seven hundred 11 thousand one hundred eighty (1,700,180) hectares more or less.

**SEC. 5. *Management Zoning.*** - The DENR Secretary, upon the recommendation of the PAMB, shall designate Strict Protection Zones (SPZ) within the VIPPS in areas with significant biodiversity values or habitats of threatened species, based on a comprehensive biodiversity inventory and assessments.

The areas outside of the strict protection zone but within the VIPPS shall automatically be designated as the Multiple-Use Zone and will be managed in close coordination with the Fisheries Management Area No. 12, pursuant to Republic Act No. 11038, or the "Expanded NIPAS Act of 2018", amending Republic Act No. 7586, and Republic Act No. 8550 "PFC of 1998" as amended Republic Act No. 10654, or the "IRR"

The DENR Secretary, also upon recommendation of the PAMB, may designate areas surrounding the VIPPS as Buffer Zones for the purpose of providing extra layer of protection where restrictions may be applied: Provided, That, in cases where the designated buffer zone would cover private lands, the owners thereof shall be required to design their development with due consideration to the protected area management plan.

Pursuant to the ENIPAS Act of 2018, the DENR, with the assistance of other government agencies, shall delineate and demarcate the VIPPS and its management zones.

**SEC. 6. *Management Plan.*** - The management plan shall, at the minimum, promote the adoption and implementation of innovative management techniques including, when necessary, zoning, buffer zone management, habitat conservation and rehabilitation, diversity management, community organizing and development, socioeconomic and scientific researches, site-specific policy development, climate change adaptation and mitigation, disaster risk reduction and management, and gender and development, among others.

The management plan shall be prepared in participation with the appropriate offices of the DENR, local indigenous communities, NGOs, and POs, together with the assistance of relevant experts and scientists to ensure a comprehensive and holistic approach to conservation and sustainable management of the Verde Island Passage.

The updating of the Management Plan shall be as prescribed in the ENIPAS Act.

## **CHAPTER II**

### **THE VERDE ISLAND PASSAGE PROTECTED SEASCAPE MANAGEMENT BOARD (VIPPS PAMB)**

**SEC. 7. *Creation and Composition of the Verde Island Passage Protected Seascape Management Board.*** - There shall be a Verde Island Passage Protected Seascape Management Board (VIPPS PAMB), which shall be the sole policy-making body of the VIPPS. The management and administration of the VIPPS shall be vested in the VIPPS PAMB, as herein provided, and shall be consultative and participatory. It shall be composed of, with reference to the ENIPAS Act, the following:

- (a) DENR Regional Executive Director for Region 4B, to serve as Chairperson;
- (b) DENR Regional Executive Director for Region 4A;
- (c) The Governors of Provinces of Batangas, Marinduque, Occidental Mindoro, Oriental Mindoro, and Romblon or their duly authorized representative;
- (d) Mayors of the Municipality/ies/City/es with territorial jurisdiction over VIPPS or their duly authorized representative/s;
- (e) Chairpersons of all the barangays with territorial jurisdiction over VIPPS or their duly authorized representative/s;
- (f) Regional Executive Directors of Department of Agriculture Bureau of Fisheries and Aquatic Resources (DA BFAR), the Department of Science and Technology (DOST), the Department of National Defense (DND), the Philippine National Police - Maritime Group, the Department of Tourism (DOT), Department of Energy (DOE), the Department of Information and Communication and Technology (DICT), representatives from the Department of Economy, Planning, and Development (DepDev) and the Philippine Coast Guard (PCG);
- (g) One (1) representative from the Provincial Fisheries and Aquatic Resources Management Council (PFARMC) of each province and one (1) representative from the Municipal Fisheries and Aquatic Resources Management Council (MFARMC) of each municipality within the VIPPS;
- (h) At least twenty (20) representatives from NGOs or POs duly accredited by the DENR, with a minimum of five (5) representatives from each VIP province. The NGOs or POs should have been in existence for at least five (5) years and with at least three (3) years of experience in relation to protected area and research;
- (i) Four (4) representatives from Academic Institutions, preferably from universities or colleges with proven track records in protected area management and research;
- (j) One (1) representative from the private sector, preferably from the fishing sector; and

- (k) One (1) representative per province from the youth sector, preferably from a group with a proven track record in relation to protected area management and research.

Ex officio members or members of the PAMB by virtue of their elective or appointive government positions as specified in the immediately preceding subparagraphs (a), (b), and (c) shall serve for the duration of their respective terms of office in their respective elective or appointive government positions.

On the other hand, the members of the PAMB specified under subparagraphs (f) and (g) of this section shall be appointed by the DENR Secretary after the conduct of a transparent and fair selection process. They shall each serve a term of three (3) years and may be reappointed for another term.

The members of the PAMB shall serve without compensation, except for the actual and necessary traveling and subsistence expenses incurred in the performance of their duties, either in their attendance in meetings of the PAMB or in connection with other official business authorized, through a resolution, by the PAMB, subject to existing rules and regulations. Each member shall have the full capacity and accountability for decisions binding to the member's sector.

The PAMB members duly appointed prior to the effectivity of this Act shall continue their term until the expiration of their appointment. Thereafter, members of the management board shall be appointed in accordance with the provisions of this Act: Provided, That, the Regional Director of the DENR shall ensure that the relevant members of the PAMB are duly appointed by the DENR Secretary: Provided, further, That, at least forty percent (40%) of the PAMB members shall be women pursuant to Republic Act No. 9710 or The Magna Carta of Women'.

The PAMB may create specialized committees to effectively manage its functions and ensure efficient decision-making given the extensive membership. These committees may be organized based on specific functions such as enforcement, research and monitoring, community relations, tourism management, and fisheries coordination, or may be structured per province given that the VIPPS covers five (5) provinces, or through a combination of both functional and provincial approaches. Each committee shall be composed of relevant PAMB members and may co-opt additional technical experts as needed. The committees shall report to the PAMB and make recommendations on

matters within their respective areas of expertise, provided that final decision-making authority remains with the full PAMB.

A member of the PAMB may be removed for any of the following grounds:

- (a) More than three (3) consecutive unexcused absences from regular meetings of the management board;
- (b) Commission of acts prejudicial to the management of protected areas as embodied in Section 20 hereof and/or other existing rules and regulations governing protected areas;
- (c) Conflict of interest, which refers to a situation where a PAMB member has personal, financial, professional, or business interests that could compromise their ability to make impartial decisions in the best interest of the VIPPS, including but not limited to: having direct or indirect financial interest in activities regulated by the PAMB; serving as an officer, director, or consultant to entities whose operations may be affected by PAMB decisions; or engaging in activities that contradict or undermine the conservation objectives and management decisions of the PAMB;
- (d) Disassociation from the office or organization being represented;
- (e) Termination of relationship with the office or organization being represented; or
- (f) Conviction by final judgment of any criminal act.

The processes for facilitating applications, appointments, and creation of committees of the VIPPS PAMB and its members, as well as the resolution of issues, shall be pursuant to the ENIPAS Act of 2018

**SEC. 7-A. Powers and Functions of the VIPPS PAMB.** - The VIPPS PAMB shall have the same powers and functions as defined in Section 11-A. Powers and Functions of the PAMB of the ENIPAS Act of 2018, as follows:

- (a) Oversee the management of the protected area/s;
- (b) Approve policies, plans and programs, proposals, agreements, and other related documents for the management of the protected areas;

- (c) Approve the management plan of the protected area and ensure its harmonization and integration with national and other development plans, such as the FMA plan, public or private, and its implementation;
- (d) Adopt a manual of operations to include rules of procedures in the conduct of business, and the creation of committees and their respective terms of reference;
- (e) Recommend the deputation of appropriate agencies and individuals for the enforcement of the laws, rules and regulations governing the management of the protected area;
- (f) Approve the recommendation of the FMC for the declaration of an area as ceasing from being an NTZ.
- (g) Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with the accounting and budgeting rules and regulations;
- (h) Set fees and charges in accordance with existing guidelines;
- (i) Issue rules and regulations for the resolution of conflicts through appropriate and effective means;
- (j) Recommend appropriate policy changes to the DENR and other government authorities;
- (k) Monitor and assess the performance of the Protected Area Superintendent (PASu) and other protected area personnel and compliance of partners with the terms and conditions of any undertaking, contract or agreement;
- (l) Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu; and
- (m) Assess the effectiveness of the management of the protected area/s annually.

*Provided, That the members of the management board shall inform their respective constituents, offices or sectors, of PAMB-approved or other relevant policies, rules, regulations, programs, and projects and shall ensure that the provisions of this Act and its implementing rules and regulations are complied with, and used as reference and*

framework in their respective plans, policies, programs, and projects. Failure to comply with the foregoing shall be the basis for disciplinary action against such member according to administrative rules and regulations and such penalties as the PAMB may provide: Provided, further, That the DENR, through the Undersecretary, shall ensure that the PAMB acts within the scope of its powers and functions. In case of conflict between the resolutions issued by the PAMB and the existing administrative orders of national application, the latter shall prevail.

**SEC. 7-B. *The Protected Area Management Office (PAMO).*** - With reference and pursuant to the ENIPAS Act of 2018, there is hereby established a VIPPS Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent (PASu) with a permanent plantilla position who shall supervise the day-to-day management, protection, and administration of the VIPPS. The PASu must be a resident of one of the five (5) provinces within the VIPPS. A sufficient number of support staff with permanent plantilla position shall be appointed by the DENR to assist the PASu in the management of the VIPPS.

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operations of the protected area. Pursuant thereto, the PASu shall have the following duties and responsibilities:

- (a) Prepare the management plan, in consultation with the stakeholders, including the **annual** work and financial plans and ensure its implementation;
- (b) Ensure the integration of the protected area management plans, programs, projects, and policies with relevant national plans and programs;
- (c) Provide secretariat services to the PAMB and its committees and ensure the availability of relevant and timely information for decision- making;
- (d) Formulate and recommend to the PAMB proposed policies, rules, regulations, and programs;
- (e) Establish, operate, and maintain a database management system which shall be an important basis for decision-making;
- (f) Enforce the laws, rules and regulations relevant to the protected area, commence and institute administrative and legal actions in collaboration with other government agencies or organizations, and assist in the

prosecution of offenses committed in violation of this Act;

- (g) Monitor, evaluate, and report the implementation of management activities of the protected area;
- (h) Request for and receive any technical assistance, support or advice from any agency or instrumentality of the government as well as academic institutions, NGOs, people's organizations and the private sector, as may be necessary for the effective management, protection and administration of the protected area;
- (i) Issue permits and clearances for activities that implement the management plan and other permitted activities in accordance with terms, conditions, and criteria established by the PAMB: Provided, That, all permits for extraction activities, including collection for research purposes, shall also continue to be issued by relevant authorities, subject to prior clearance from the PAMB, through the PASu, in accordance with the specific acts to be covered;
- (j) Collect and/or receive pertinent fees, charges, donations, and other income for the protected area: Provided, That, such fees, charges, donations, and other income collected/received shall be reported regularly to the PAMB and the DENR in accordance with existing guidelines;
- (k) Prepare and recommend to the PAMB approval of the annual work and financial plans of the protected area based on the management plan;
- (l) Directly report to the DENR Regional Executive Director; and
- (m) Perform such other functions as the PAMB and the DENR may assign.

**SEC. 8. *Role of the DENR.*** - The DENR shall perform all the functions as stipulated in the ENIPAS Act of 2018, as well as coordinate and collaborate closely with other concerned government agencies to ensure the sound management and conservation of the VIPPS. It shall also provide technical and financial assistance to the VIPPS as may be needed.

**SEC. 9. *Reporting Responsibility.*** - Pursuant to the ENIPAS Act of 2018, the PASu, through the PAMB, shall submit an annual accomplishment report of the protected area

to the Secretary of the DENR through the BMB. A report on the conditions and benefits of the biological resources and ecosystem services of the protected area shall also be submitted by the PASu, through channels, to the Secretary of the DENR every five (5) years. Further, the PASu shall coordinate with and provide the necessary documents needed by the BMB for the preparation of the National State of Protected Areas (NSPAs) report every five (5) years, to be submitted to the President, the Senate and the House of Representatives.

### **CHAPTER III**

#### **DEVELOPMENT, FISHING, EXPLORATION, AND RESEARCH ACTIVITIES AT THE VIPPS, AND PARTNERSHIP AMONG GOVERNMENT, NONGOVERNMENT, AND PEOPLE'S ORGANIZATION**

**SEC. 10. *Environmental Impact Assessment (EIA).*** - Considering that protected areas are environmentally critical areas, the proponent of development projects and activities with potentially significant adverse impacts as determined by the Environmental Management Bureau (EMB), whether or not these projects or activities are included in the management plan, shall secure an Environmental Compliance Certificate (ECC) in accordance with the Philippine Environment Impact Statement (EIS) System: *Provided, That, for development projects and activities that are not environmentally critical, an initial environmental examination (IEE) shall be undertaken instead of a full-blown EIA. No project or activity may be undertaken by any project proponent without prior clearance from the PAMB. The DENR shall require the submission of the PAMB clearance, among others, before issuing an ECC to a project proponent.*

No actual implementation of such activities shall be allowed without the required ECC under the Philippine EIA System. Violations of environmental laws, rules and regulations, including those under the EIA System, shall be penalized accordingly.

**SEC. 11. *Energy Resources, Mining, and Quarrying Prohibition.*** - Consistent with Section 14 of the ENIPAS Act of 2018, the exploration for energy resources may be allowed in protected areas only for the purpose of gathering data and information and only if such activity is carried out with the least damage to surrounding areas.

No exploration for non-renewable energy projects, large-scale mining including deep-sea mining, or large-scale quarrying operations may be allowed within the VIPPS. Renewable energy projects may be allowed within the protected area by the PAMB with

the concurrence of the DENR Secretary: *Provided, That, renewable energy projects, which shall be located outside the strict protection zones, shall undergo the EIA as provided by law, and shall adopt reduced impact technologies so as not to be detrimental to ecosystem functions, biodiversity, cultural practices and traditions: Provided, further, That, sufficient bond shall be remitted by the proponent to the DENR. The amount of which will be based on damage estimation upon decommissioning and projected cost of rehabilitation. It shall be released to the depositor upon the satisfactory decommissioning of all equipment, structures and improvements and the rehabilitation of the site according to the zones and objectives of the management plan as attested to by the PAMB.*

**SEC. 12. *Special Uses Within Protected Areas.*** - Consistent with Section 25 of the ENIPAS Act of 2018, special uses may be allowed within the VIPPS except in the strict protection zone. The PAMB may recommend the issuance of tenurial instruments subject to compliance with the ECC and payment of the corresponding user fee equivalent to five percent (5%) of the zonal value of commercial land within the nearest barangay or municipality where the project is located multiplied by the area of development plus one (1%) value of the improvement as premium: *Provided, That the activity shall not be detrimental to ecosystem functions and biodiversity, and cultural practices and traditions.*

A sufficient bond shall be remitted by the proponent to the DENR to be released to the depository bank in the event of damage by or closure of the establishment after satisfactory rehabilitation according to the zones and objectives of the management plan as attested to by the PAMB.

**SEC. 13. *Small-scale, Municipal and Commercial Fishing Outside Designated No-Take Zones but Within the Protected Areas.*** - To ensure the livelihood of fisherfolks in coastal areas across the VIPPS while also maintaining protection of the same, small-scale fishing shall be allowed outside the designated SPZ and NTZ within the protected areas. Municipal and commercial fishing shall likewise be allowed: *Provided, That the following must be secured:*

- (a) In the case of municipal fishing, the necessary license from the local government unit concerned;
- (b) In the case of commercial fishing, the necessary license from the BFAR: *Provided, That commercial fishing vessels shall not be allowed to operate within fifteen (15) kilometers from the shoreline of the VIPPS;*

(c) In both cases, the permit from the PASu.

No license and/or authority shall be required for small-scale fishers: *Provided*, that they are registered as such with their respective barangays, and their fishing activities are for subsistence and that they employ only passive fishing gears.

In case of violation of the immediately preceding paragraph, the penalty shall be as follows:

- (a) For the first offense, a fine of Php 2,500 shall be imposed on the boat owner/operator and a fine of Php 1,000 per person on crew members, with confiscation of caught fish. Community service may be imposed in lieu of monetary penalty for those unable to pay.
- (b) For the second offense, a fine of Php 5,000 shall be imposed on the boat owner/operator and a fine of Php 1,500 per person on crew members, with confiscation of caught fish and fishing gear.
- (c) For the third offense, a fine of Php 10,000 shall be imposed on the boat owner/operator and a fine of Php 2,500 per person on crew members, with confiscation of caught fish and fishing gear.
- (d) For succeeding offenses, imprisonment of the boat owner/operator of not less than two (2) months but not more than six (6) months shall be imposed, in addition to the penalties imposed for the third offense.

**SEC. 13-A. VIPPS Fisheries Monitoring Center.** - For purposes of regulating small-scale, municipal and commercial fishing and identifying SPZ and NTZ, a VIPPS Fisheries Monitoring Center shall be constituted.

The FMC shall have the following responsibilities:

- (a) Upon the formulation of the implementing rules and regulation of this law, the FMC shall conduct a survey of fishery resources in VIPPS and determine the SPZ and NTZ;
- (b) Conduct regular survey of fishery resources and identify if there are migratory fishes, economically-important fishes, and bioindicator fishes in VIPPS and identify NTZ following the results of the regular survey;

- (c) Monitor the fishery resources and determine whether an NTZ has already reached a sustainable status so as to cease from being an NTZ, and recommend the same for the approval of the PAMB;
- (d) Report to the PASu and the PAMB the results of such regular surveys
- (e) All other responsibilities necessary to carry out the above mentioned.

**SEC. 14. *Partnership Among NGOs and POs.*** - For the purpose of attaining the objectives of this Act, all government agencies, FARMC, NGOs, POs, and their personnel shall continuously foster and develop a strong and genuine partnership through regular public consultations, community engagement, and participatory decision-making processes.

- (a) The PAMO shall conduct quarterly public consultations with local communities, indigenous peoples, FARMC, NGOs, POs, and other stakeholders to gather input, feedback, and recommendations on the management and conservation of the Verde Island Passage;
- (b) The Office shall establish mechanisms for constant community engagement, such as regular meetings, workshops, and capacity-building activities, to ensure the active participation and empowerment of local stakeholders in the planning, implementation, monitoring, and evaluation of protected area management activities;
- (c) All NGOs, POs, and private entities implementing any park conservation, protection, and development program must be accredited by the LGUs and the DENR to ensure alignment with the overall management objectives and strategies for the VIP.

Mechanisms to ensure adequate consultation and participatory decision-making processes, and recognizing the role and participation of the PAMB members.

## CHAPTER IV ENFORCEMENT, PROHIBITED ACTS, AND PENALTIES

**SEC. 15. *Persons and Deputies Authorized to Enforce this Act and Other Environmental Rules and Regulations.*** - The law enforcement officers of the Department of Environment and Natural Resources (DENR) as well as the Department of Agriculture

Bureau of Fisheries and Aquatic Resources (DA-BFAR), Armed Forces of the Philippines (AFP), Philippine Coast Guard (PCG), and Philippine National Police - Maritime Group (PNP MG) are hereby authorized to enforce this Act and other marine environmental laws, rules and regulations.

Further, the PAMO may also be augmented by the deputized environment and natural resources, law enforcement officers upon the recommendation of the PAMB and approval of the DENR. Bantay Dagat personnel, by virtue of their existing deputization under applicable laws and local government ordinances, shall have the authority to enforce this Act within the territorial limits of their respective jurisdictions.

Nothing herein mentioned shall be construed as preventing regular enforcers and police officers from arresting any person in the act of violating said laws and regulations.

**SEC. 16. *Prohibited Acts.*** - Pursuant to rules and regulations governing the same and to Section 20 of the ENIPAS Act of 2018, the following acts are prohibited within the VIPPS:

- (a) Poaching, killing, destroying, disturbing of any wildlife within the protected area;
- (b) Hunting, taking, collecting, gathering or possessing of any wildlife or by-products derived therefrom, or resources, whether living or nonliving, in designated SPZ and NTZ within the protected area. The same activities shall also be prohibited outside the designated SPZ and NTZ, but within the protected area, absent the necessary permit, authorization or exemption: Provided, That the PASu as authorized by the PAMB shall issue a permit, authorization or exemption only for fishing activities, culling, scientific research, the exceptions provided in the preceding section and under Section 27(a) of Republic Act No. 9147, or the 'Wildlife Resources Conservation and Protection Act', or harvests of nonprotected species in multiple-use zones by fishers who are traditionally operating in the area as may be determined by BFAR;
- (c) Possessing or transporting outside the protected area any wildlife, or by-products derived therefrom, which are ascertained to have been taken from the protected area, except as may be allowed by this Act and authorized through obtaining of the appropriate permit/s;

- (d) Using any fishing or harvesting gear or employing any practices, or any of their variations, that is unsustainable, that are unsustainable, or detrimental to coral reefs, seagrass or seaweed beds or other marine life and their associated habitats; Provided, That, mere possession of such gears within the protected area shall be prima facie evidence of their use;
- (e) Holding fast or securing a vessel in place either by using an anchor or tying onto any part of the reef: Provided, That, all vessels permitted to enter shall utilize the mooring buoys provided by the VIPPS;
- (f) Dumping, throwing, using, or causing to be dumped into or placed in the protected area of any toxic chemical, noxious or poisonous substance or non-biodegradable material, untreated sewage or animal waste products or products whether in liquid, solid or gas state, including pesticides and other hazardous substances as defined under Republic Act No. 6969, otherwise known as the 'Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990' detrimental to the protected area, or to the plants, animals, inhabitants or habitats therein;
- (g) Operating any motorized conveyance within the protected area without permit from the LGU or PAMB: Provided, That LGUs shall submit to the PAMB a quarterly list of all permitted motorized conveyances operating within the protected area;
- (h) Altering, removing, destroying or defacing boundary marks, buoys, or signs;
- (i) Mutilating, defacing, destroying, excavating, vandalizing or, in any manner, damaging any natural formation, religious, spiritual, historical sites, artifacts and other objects of natural beauty, scenic value or objects of interest;
- (j) Littering or depositing refuse or debris within the protected area;
- (k) Possessing or using blasting caps or explosives anywhere within the protected area;
- (l) Occupying or dwelling within the protected area without clearance from the PAMB;
- (m) Entering, enjoying or utilizing any portion of the VIPPS and the

resources therein, for whatever purpose without the prior permission from the VIPPS-PAMB;

- (n) Obstructing, evading, or hindering Law Enforcement Officers from performing their duties within the Protected Area;
- (o) Constructing, erecting, or maintaining any kind of structure, fence or enclosures, conducting any business enterprise within the protected area without prior clearance from the PAMB and permit from the DENR, or conducting these activities in a manner that is inconsistent with the management plan duly approved by the PAMB;
- (p) Undertaking mineral exploration or extraction within the protected area, pursuant to Republic Act No. 7942, or the 'Philippine Mining Act of 1995';
- (q) Engaging in commercial or large-scale quarrying within the protected area;
- (r) Establishing or introducing exotic species, including GMOs or invasive alien species within the protected area;
- (s) Conducting bioprospecting within the protected area without prior PAMB clearance in accordance with existing guidelines and Republic Act No. 9147, otherwise known as the "Wildlife Resources Conservation and Protection Act": Provided, That in addition to the penalty provided herein, any commercial use of any substance derived from non-permitted bioprospecting within a protected area will not be allowed and all revenue earned from illegal commercialization thereof shall be forfeited and deposited as part of the IPAF;
- (t) Prospecting, hunting or otherwise locating hidden treasures within the protected area;

**SEC. 17. *Penalties.*** - Pursuant to Section 21. Penalties of the ENIPAS Act of 2018, violations under this Act shall be subject to the following penalties:

- (a) A fine of not less than Two hundred thousand pesos (P200,000) but not more than One million pesos (P1,000,000) or imprisonment from one (1) year but not more than six (6) years, or both, plus damages of triple the value of the said resources, or both, shall be imposed upon any person who violates paragraphs (a) to (e) of Section 13 herein;

- (b) A fine of not less than Two hundred thousand pesos (P200,000) but not more than One million pesos (P1,000,000) or imprisonment from one (1) year but not more than six (6) years, or both, shall be imposed Upon any person who violates paragraphs (f) to (n) of Section 13 herein;
- (c) A fine of not less than One million pesos (P1,000,000) but not more than Five million pesos (P5,000,000) or imprisonment from six (6) years but not more than twelve (12) years, or both, shall be imposed upon any person who violates paragraphs (o) to (t) of Section 13 herein;
- (d) Administrative fines of not less than Fifty thousand pesos (P50,000), but not exceeding Five million pesos (P5,000,000), shall be imposed by the DENR Secretary for the violation of any rule, regulation, or provision of any agreement reached with the PAMB: Provided, That if an area which has sustained damage from any activity conducted therein requires rehabilitation or restoration as determined by the court, the offender shall be required to restore or pay compensation for such damages, which payment shall accrue to the IPAF.

On the basis of a court order, the DENR shall cause the eviction of an offender from the protected area: *Provided*, that, in cases of emergency, the DENR Secretary may order the immediate exit or departure of the offender from the protected area. The DENR Secretary may call on other enforcement agencies to assist in executing the order to vacate.

An emergency occurs when there is a demonstrated impending threat to human life and biodiversity or to species found within the ecosystem of the protected area.

All minerals, wildlife, or ether resources, whether living or nonliving, illegally collected or removed from the protected area, including all equipment, devices, conveyances, and firearms used in connection therewith, shall be forfeited in favor of the government, and any construction or improvement made thereon by the offender shall be subject to confiscation by the PAMO, subject to the application of due process.

The conveyances, vessels, equipment, paraphernalia, implements, gears, tools, and similar devices used in the commission of the crime shall be dealt with in accordance with Part 4, Rule 12 (Custody and Disposition of Seized Items, Equipment, Paraphernalia, Conveyances and Instruments) of Administrative Matter No. 09-6-8-SC (Rules of

Procedure for Environmental Cases) issued by the Supreme Court. However, in no case shall any confiscated or rescued protected animal species be sold or in any manner disposed of but shall be immediately turned over to the PAMO for rehabilitation and release to its natural habitat, subject to existing regulations.

Valuation of the damage shall take into account biodiversity and conservation considerations, the affected community's health and livelihood, as well as aesthetic and scenic value. The valuation and assessment by the DENR, in coordination with other concerned government agencies, shall be presumed regular, unless otherwise proven by preponderance of evidence.

If the offender is an association or corporation, the president or manager, who is proven to have participated in or have actual knowledge of any violation against the provisions of this Act shall be directly liable for the act of the employees and laborers: Provided, finally, That the DENR may impose administrative fines and penalties consistent with this Act.

Any person who shall induce another or conspire to commit any of the acts prohibited in this Act, or force their workers to commit any of the same, shall be liable as principal.

The penalties specified in this section shall be in addition to the penalties provided in the ENIPAS Act, the Wildlife Resources Conservation and Protection Act, Republic Act No. 10654 amending the Philippine Fisheries Code of 1998, and other related laws.

The conviction of a public officer or officer of the law whether from any LGU or any national government agency for any violation of the provisions of this Act shall carry the accessory penalty of perpetual disqualification from public office.

## **CHAPTER V**

### **INTEGRATED PROTECTED AREA FUND (IPAF)**

**SEC. 18. *Integrated Protected Area Fund (IPAF).*** - Pursuant to the ENIPAS Act of 2018, income generated from the operation and management of the VIPPS shall accrue to the Integrated Protected Area Fund (IPAF). The income shall be derived from fees and charges from the use of resources and facilities of the VIPPS; contributions from industries and facilities directly benefiting from the protected area; and such other fees and income derived from the operation of the VIPPS.

The PAMB shall retain seventy-five percent (75%) of all revenues raised 10 through the above means, which shall be deposited in the Protected Area-Retained Income Account (PA-RIA) in any authorized government depository bank within the locality: Provided, that disbursements out of such deposits shall be used solely for the protection, maintenance, administration, and management of the protected area and implementation of duly approved projects of the PAMB.

Grants, donations and endowments from various sources, domestic or foreign, shall be deposited in full in a special account in the National Treasury to be used for the purpose specified in the deeds and instruments covering them.

Voluntary or legislated payments for ecosystem goods and services, including fines, penalties, and compensation for damages from protected area offenses shall accrue fully to the PA-RIA and shall be managed by the PAMB.

The remaining twenty-five percent (25%) of revenues shall be deposited as a special account in the General Fund in the National Treasury for purposes of financing the projects of the System.

The use of the IPAF shall be in accordance with existing accounting, budgeting, and auditing rules and regulations: Provided, further. That the IPAF shall not be used to cover personal services expenditures.

The DENR shall submit to the Department of Budget and Management (DBM) and the Department of Finance (DOF) quarterly reports on the financial and physical accomplishments on the utilization of the IPAF and other documents as may be required by the DBM, and shall furnish a copy of the same to the House Committee on Appropriations and the Senate Committee on Finance.

**SEC. 19. *Tax Exemption.*** - All grants, bequests and endowments, donations and contributions made to the protected area fund to be used actually, directly, and exclusively by the protected area, shall be exempted from donor's tax and shall be considered as allowable deduction from the gross income of the donor for the purpose of computing the taxable income of the donor in accordance with the provisions of the National Internal Revenue Code of 1997, as amended, (n)

**SEC. 20. *Implementing Rules and Regulations (IRR).*** - Within six (6) months from the effectivity of this Act, the DENR shall prepare the IRR of this Act.

**SEC. 21. *Transitory Provision.*** - Pursuant to the ENIPAS Act of 2018, in order to enhance biological diversity and to develop sustainable livelihood opportunities for tenured migrants, the DENR shall henceforth cease to issue concessions, licenses, permits, clearances, compliance documents or other instruments that allow utilization of resources within the protected area until the management plan shall have been put into effect. All existing resource use permits issued for purposes which are authorized within the protected area shall be reviewed and shall not be renewed upon their expiration unless consistent with the management plan and approved by the PAMB.

**SEC. 22. *Appropriations.*** - The Congress of the Philippines shall provide for the appropriations for the concerned government agencies implementing provisions of this Act for the succeeding years to be included in the annual General Appropriations Act (GAA).

**SEC. 23. *Construction and Suppletory Application of Existing Laws.*** - The provisions of this Act shall be construed liberally in favor of achieving biodiversity conservation, protection and sustainable development. Provisions of the ENIPAS Act of 2018, Republic Act No. 10654 amending the Philippine Fisheries Code of 1998, the Wildlife Resources Conservation and Protection Act, and existing environmental laws and their corresponding rules and regulations not inconsistent hereto shall have suppletory effect in the implementation of this Act.

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

**SEC. 25. *Repealing Clause.*** - All laws, decrees, executive orders, rules and regulations or parts thereof which are contrary to or inconsistent with this Act area hereby repealed, amended or modified accordingly.

**SEC. 26. *Effectivity Clause.*** - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

*Approved,*