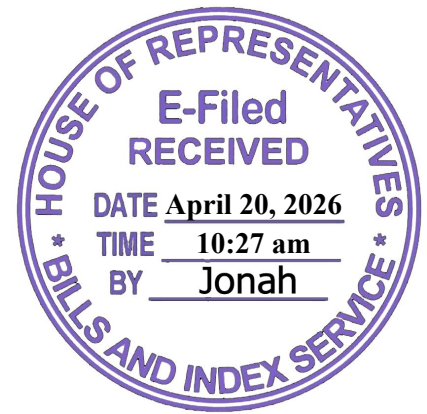


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. **8882**



Introduced by Representative LEILA M. DE LIMA

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 (VIPPS), PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

Correlative to the State's constitutional mandate to "protect and advance the right of the people to a balanced and healthful ecology,"¹ is the duty to refrain from impairing the environment.² While such duties are applicable in all circumstances, they become even more urgent in areas where environmental degradation can lead to great ecological and socio-economic losses.

One such area is the Verde Island Passage (VIP), a 1.3-million-hectare marine corridor spanning five provinces, and is scientifically known as the "center of the center of marine shore fish biodiversity" and globally recognized as the "Amazon of the Oceans".³ The VIP is not only home to approximately 1,736 fish species and over 300 coral species, but it is also a fundamental source of food security and livelihoods of over 2 million people, with its fisheries producing approximately P1 billion annually, not

¹ CONST. art. VII, § 16.

² Resident Marine Mammals of the Protected Seascape Tañon Strait v. DoE Secretary Reyes.

³ Carpenter, K. and Springer, V. (April 2005). The center of the center of marine shore fish biodiversity: the Philippine Islands. Environmental Biology of Fishes. Retrieved from https://www.researchgate.net/publication/227112122_The_center_of_the_center_of_marine_shore_fish_biodiversity_The_Philippine_Islands.

including the economic benefits brought forth by ecotourism in the area.⁴ For millions of Filipinos living along its coasts, the VIP serves as a primary source of food, livelihood, and life passed down from previous generations⁵.

The importance of the VIP is uncontested, yet it continues to lack significant legislative protection that would preclude environmental degradation in the face of increasing industrial developments. As of current, five of the six fossil gas plants in the Philippines are located in the passage, and proposals are underway for eight (8) more power plants and seven LNG terminals.⁶

The catastrophe brought about by the 2023 MT Princess Empress oil spill, which led to extensive damages amounting to over 40 billion,⁷ lends credence to the grave risk the VIP is continuously subjected to. Such industrial expansion exponentially increases the risk of air, water, and thermal pollution, potentially leading to irreversible damage to VIP's marine and terrestrial ecosystems.⁸ It is thus unsurprising to find that the passage is characterized by extremely low water quality, an excessive concentration of toxic substances, and a subsequent decrease in daily fish catches for our country's fisherfolk.⁹

Moreover, intensified commercial fishing and land reclamation activities continue to deplete fish stocks and destroy mangroves and coastal ecosystems, disproportionately affecting small-scale fishers¹⁰.

Immediate legislative intervention is thus crucial. The Verde Island Passage Protected Seascape (VIPPS) Bill seeks to address the glaring inadequacy of environmental safeguards in existing legal and institutional mechanisms for the protection and sustainable management of the VIP by legally declaring the passage a protected area with the category of Protected Seascape. Such classification will allow for more comprehensive regulations necessary to ensure both the rehabilitation and conservation of the passage.

⁴ Wagas, E. & Andres, B. (June 2022). Marine Ecology Assessment Along the Coast of a Fossil Gasfired Power Plant and LNG Terminal within the Verde Island Passage, Northern Philippines. CEED. Retrieved from <https://ceedphilippines.com/wp-content/uploads/2022/06/Marine-Ecology.pdf>

⁵ Protect VIP, Center for Energy, Ecology, and Development (CEED). Briefer on the Verde Island Passage Protected Seascape Bill

⁶ Wagas, E. & Andres, B. (June 2022). The Trend of Water Quality in the Heavy Industrial Area of Batangas Bay East, Verde Island Passage, Philippines and its Surrounding Areas. CEED. Retrieved from <https://ceedphilippines.com/wp-content/uploads/2023/11/Water-Quality.pdf>.

⁷ Aspinwall, N. (29 July 2025). As gas giants move in, Philippine fishers fight for their seas and survival. Mongabay. Retrieved from <https://news.mongabay.com/2025/07/as-gas-giants-move-in-philippine-fishers-fight-for-their-seas-and-survival/>.

⁸ Banking on Climate Chaos (12 April 2023). Philippines communities are fighting back against the Verde Island Passage becoming the epicenter of fossil fuel expansion in Southeast Asia. Retrieved from <https://www.bankingonclimatechaos.org/frontline-stories/vip-lng/#:~:text=The%20VIP%20is%20already%20facing,oil%20spill%20in%20February%202023.>

⁹ Wagas & Andres, *supra* note 4.

¹⁰ CEED, *supra* at note 5

This measure aligns with the Philippines' commitment to protect 30% of its marine and terrestrial areas by 2030 and responds to international calls, including from the United Nations (UN), to strengthen protection of the VIP¹¹.

This bill shall also institutionalize the creation of the VIPPS Management Board (VIPPS-MB) as the sole policy-making body, consisting of regional directors from various government agencies, local authorities, and at least 20 representatives from NGOs or POs. It shall further ensure representation from fisherfolk, indigenous peoples, academic institutions, the private sector, and the youth to promote inclusive and science-based governance. The bill also mandates the creation of a specialized Fisheries Monitoring Center (FMC) to identify Strict Protection Zones and No-Take Zones based on regular scientific assessments and surveys. This ensures that management decisions are guided by scientific data rather than purely political considerations.

Lastly, the measure strictly regulates industrial and extractive activities while safeguarding the preferential rights of small-scale fishers, exempting them from licensing requirements and mandating their representation in the VIPPS-MB and in quarterly public consultations. It likewise prohibits destructive activities such as large-scale mining, use of explosives or toxic substances in fishing, and operation of commercial fishing vessels within designated coastal limits, while allowing sustainable fishing practices outside no-take zones.

Ultimately, this bill seeks to protect the Verde Island Passage from ecological ruin and ensure the livelihoods and food security of our coastal communities. It affirms that environmental protection and community welfare are complementary objectives that must be pursued in tandem for long-term sustainability.

In the 20th Congress, a similar bill was filed by Senator Loren Legarda as Senate Bill No. 831 and Representative Arnan C. Panaligan as House Bill No. 132.

Early approval of this measure is requested.



LEILA M. DE LIMA

¹¹ *ibid*

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HOUSE BILL NO. **8882**

Introduced by Representative LEILA M. DE LIMA

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 (VIPPS), PROVIDING FOR ITS MANAGEMENT, AND
APPROPRIATING FUNDS THEREFOR

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

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

3
4 SEC. 2. *Declaration of Policy.*- In view of the global recognition of the area as
5 the "center of the center of marine shore fish biodiversity" and cognizant of the
6 profound impact of human activities on all components of the natural environment, the
7 Verde Island Passage in the Provinces of Batangas, Occidental Mindoro, Oriental
8 Mindoro, Marinduque, and Romblon, is hereby declared a protected area with the
9 category of Protected Seascape and shall hereinafter be referred to as the Verde
10 Island Passage Protected Seascape (VIPPS). As such, the State shall ensure the
11 conservation, protection, and proper management of this globally significant area. The
12 government shall also undertake the rehabilitation of a target ecosystem when
13 determined as needed, guided by sound science and technical expertise. It is likewise
14 recognized that effective administration of this area is possible only through
15 cooperation and collaboration among national government agencies, local
16 government units (LGUs), fisheries and aquatic resources management councils
17 (FARMCs), non-government organizations (NGOs), private entities, and local
18 communities. The use and enjoyment of this area must be consistent with the

1 principles of biological diversity and sustainable development, taking into
2 consideration all applicable laws and international conventions to which the Philippines
3 is a signatory.

4
5 In recognition of the welfare of coastal communities across the Verde Island
6 Passage, the State shall also protect the right of subsistence fisherfolk, pursuant to
7 Section 7, Article XIII of the 1987 Philippine Constitution. Fisherfolk, especially from
8 local communities which rely on the resources of the Verde Island Passage shall not
9 be deprived of their livelihood while the State endeavors for the protection,
10 development, and conservation of marine resources in the Verde Island Passage by
11 giving them preferential use and regulated access to a designated portion thereof, and
12 the Implementing Rules and Regulations of which are to be formulated in consultation
13 with relevant scientific experts and stakeholders.

14
15 SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms shall
16 be defined as follows:

- 17
18 a) *Conservation* refers to any act or acts of preservation and sustainable
19 utilization of wildlife or maintenance, restoration, and enhancement of
20 habitats;
- 21
22 b) *Ecosystems* refer to dynamic complex of plant, animal, and
23 microorganism communities, and their non-living environment,
24 interacting as a functional unit;
- 25
26 c) *Buffer Zone* refers to the identified area outside the boundaries of and
27 immediately adjacent to the VIPPS that needs special development
28 control in order to avoid or minimize harm to the protected area;
- 29
30 d) *Collecting* refers to the act of gathering or harvesting wildlife and its by-
31 products or derivatives;
- 32
33 e) *Conveyance* refers to every kind of vessel, including motorized or non-
34 motorized vehicles, non-displacement crafts, and seaplanes that are
35 used or may be used as a means of transportation on land or water. It
36 shall include everything found therein, except personal effects;
- 37
38 f) *Commercial Fishers* refers to persons who catch fish and other fisheries
39 products using fishing vessels of more than three (3) gross tons;
- 40
41 g) *Coral* refers to either of the following: the sessile marine invertebrates
42 under Class Anthozoa of Phylum Cnidaria, whose individual units are
43 called polyps. This includes stony or hard corals, and soft corals; or the
44 hard calcareous substance made up of the skeleton of marine anthozoan

1 polyps which compose reefs, shelves, and atolls, or any of the other
2 stony masses formed by the skeletons of colonies of polyps. This
3 includes: (a) skeletons of anthozoans characterized as having a rigid
4 axis of compact calcareous or horny spicules, belonging to the genus
5 *Corallium* as represented by the red, pink and white corals which are
6 considered precious corals; (b) skeletons of anthozoans characterized
7 by thorny, horny axis such as the antipatharians represented by the black
8 corals which are considered semi-precious corals; and (c) ordinary
9 corals which are any kind of corals that are not precious nor semi-
10 precious;

11
12 h) *Coral Reef* refers to a natural aggregation of coral skeleton, with or
13 without living coral polyps, occurring in intertidal, subtidal marine waters,
14 or mesophotic zones;

15
16 i) *Delineation* refers to the actual ground survey of the boundaries of the
17 protected area, its buffer zones, and management zones using the global
18 positioning system (GPS) or other applicable survey instruments and
19 technologies, with the intention of producing a map of the area;

20
21 j) *Demarcation* refers to the establishment of the boundaries of protected
22 areas and their buffer zones using visible markers, monuments, buoys,
23 or GPS markers, as a result of actual ground delineation;

24
25 k) *Ecosystem* goods and services refer to the multitude of material and
26 nonmaterial provisions and benefits from healthy ecosystems necessary
27 for human sustenance, well-being, and survival, including support
28 processes, provisioning, and environment regulating services, and
29 cultural resource preservation services;

30
31 l) *Exploration* refers to the act of searching or prospecting for mineral or
32 energy resources, as defined by law, by geological, geochemical or
33 geophysical surveys, remote sensing, test pitting, trenching, drilling,
34 shaft sinking, tunneling or any other means, for the purpose of
35 determining the existence, extent, quantity, and quality of resources in
36 an area, and the feasibility of utilizing these resources for profit;

37
38 m) *Extraction* refers to the industrial processes and activities involved in the
39 removal of natural resources from the VIPPS for commercial purposes,
40 including but not limited to: (a) mining operations for the extraction of
41 minerals, metals, aggregates, sand, gravel, or other geological materials
42 from the seabed, seafloor, or coastal areas; (b) oil and gas exploration,
43 drilling, and extraction activities; (c) quarrying operations; (d) large-scale
44 harvesting of marine resources for industrial processing; and (e) any

1 other industrial-scale removal of natural resources that involves the use
2 of heavy machinery, equipment, or infrastructure.

3
4 n) *Fisheries Monitoring Center (FMC)* refers to a specialized technical body
5 established to conduct scientific assessment, monitoring, and
6 management of fishery resources within the VIPPS;

7
8 o) *Fishery/Fisheries Management Area* refers to a bay, gulf, lake, strait or
9 any other fishery area which may be delineated for fishery resource
10 management purposes, as defined in Republic Act No. 10654 amending
11 Republic Act No. 8550;

12
13 p) *Fishing* refers to the taking of fishery species from their wild state of
14 habitat, with or without the use of fishing vessels.

15
16 q) *Gear* refers to any instrument or device and its accessories utilized in
17 taking, catching, gathering, killing, hunting, destroying, disturbing,
18 removing, or possessing resources within the protected area;

19
20 r) *Genetically Modified Organism (GMO)* refers to any living organism that
21 possesses a novel combination of genetic material through the use of
22 modern biotechnology;

23
24 s) *Hunting* refers to the killing or catching of wild fauna for food and
25 recreational purposes, with the use of weapons such as guns, bows and
26 arrows, spears, traps and snares, and the like;

27
28 t) *Integrated Protected Area Fund (IPAF)* refers to the special account
29 established for the purpose of financing projects of the NIPAS and
30 individual protected areas;

31
32 u) *Indigenous Peoples (IPs)* refer to a group of people sharing common
33 bonds of language, customs, traditions, and other distinctive cultural
34 traits, and who have, since time immemorial, occupied, possessed, and
35 utilized a territory;

36
37 v) *Invasive Alien Species (IAS)* refers to species introduced deliberately or
38 unintentionally outside their natural habitats where they have the ability
39 to establish themselves, invade, outcompete native species, and take
40 over the new environment;

41
42 w) *Littering* refers to the disposal of small amounts of biodegradable solid
43 and liquid wastes as well as non-biodegradable solid waste materials,

1 such as, but not limited to, cigarette butts, candy wrappers, plastic
2 materials, bottles, and glasses;

3
4 x) *Multiple-use Zone (MUZ)* refers to the area where settlement, traditional
5 and sustainable land use including agriculture, agroforestry, extraction
6 activities, and income generating or livelihood activities may be allowed
7 to the extent prescribed in the protected area management plan;

8
9 y) *Municipal Fishers/Fisherfolk* refers to persons who catch fish and other
10 fisheries products using fishing vessels of three (3) gross tons or less, or
11 whose fishing does not require the use of fishing vessels;

12
13 z) *National Integrated Protected Areas System (NIPAS)* refers to the
14 classification and administration of all designated protected areas to
15 maintain essential ecological processes and life-support systems,
16 preserve genetic diversity, to ensure sustainable use of resources found
17 therein, and to maintain their natural conditions to the greatest extent
18 possible;

19
20 aa) *No-take Zones (NTZ)* - No-take Zones are areas within the VIPPS where
21 no fishing, mining, drilling, or other extractive activities are allowed, until
22 such time that the Fisheries Monitoring Center declares that fishing
23 activities may be opened to small-scale fishers/fisherfolk. An NTZ is
24 identified by the Fisheries Monitoring Center based on the regular fishery
25 resources survey that they conduct.

26
27 bb) *Non-government Organization (NGO)* refers to any civic, developmental,
28 environmental, or philanthropic non-stock, non-profit organization, duly
29 registered, having by-laws, democratically-elected representatives, with
30 qualifications, expertise, and objectivity in activities concerning
31 community organizing and development, or resource and environmental
32 conservation, management, and protection related to the protected area;

33
34 cc) *Non-renewable Resources* refer to those resources that cannot be
35 remade, regrown, or regenerated on a scale compared to their
36 consumption;

37
38 dd) *Noxious or Poisonous Substances* refers to any substance, plant
39 extracts or juice thereof, sodium cyanide and/or cyanide compounds, or
40 other chemicals either in raw or processed form, explosives such as
41 dynamite, or other explosive devices, harmful or harmless to human
42 beings, which will kill, stupefy, disable or render unconscious any marine
43 organism and capable of damaging or altering the natural habitat;

- 1 ee) *Occupying* refers to a continuous stay of individuals or groups within a
2 protected area, whether residing or engaging in the cultivation of land or
3 fishing for more than twenty-four (24) hours;
- 4
5 ff) *People's Organization (PO)* refers to a group of people which may be an
6 association, cooperative, federation, aggrupation of individuals or groups
7 with an identifiable structure of decision-making and accountability,
8 established to undertake collective action to address community
9 concerns and needs in relation to the protected area;
- 10
11 gg) *Poaching* refers to gathering, collecting, or possessing products or
12 natural resources from the protected area by any individual person,
13 corporation, or entity whether local or foreign; in the case of marine
14 protected areas, operating any foreign fishing vessels by any person,
15 corporation, or entity without a permit;
- 16
17 hh) *VIPPS* refers to the Verde Island Passage Protected Seascape;
- 18
19 ii) *VIPPS PAMB* refers to the VIPPS Protected Area Management Board;
- 20
21 jj) *Protected Area* refers to identified portions of land and/or water set aside
22 by reason of their unique physical and biological significance, managed
23 to enhance biological diversity and protected against destructive human
24 exploitation;
- 25
26 kk) *Protected landscapes and/or seascapes* refer to areas of national
27 significance which are characterized by the harmonious interaction of
28 man and land and water while providing opportunities for public
29 enjoyment through recreation, tourism, and other economic activities;
- 30
31 ll) *Protected Area Retained Income Account (PA-RIA)* refers to the trust
32 fund maintained by any protected area and administered by the
33 respective Protected Area Management Boards (PAMB) created
34 pursuant to this Act, representing the seventy-five percent (75%) of
35 revenues generated from the protected area to support its operation and
36 management;
- 37
38 mm) *Protected Species* refers to plants or animals declared protected under
39 Philippine laws, rules, and regulations. These shall include all species
40 listed under the Convention on International Trade in Endangered
41 Species of Wild Fauna and Flora and all its Annexes, the Convention of
42 Migratory Species (CMS), those specified under the red-list categories
43 of the International Union for Conservation of Nature and Natural
44 Resources (IUCN), or any plant or animal which the Department of

1 Environment and Natural Resources (DENR), PAMB or any government
2 agency may deem necessary for conservation and preservation in the
3 protected area;

4
5 nn) *Quarrying* refers to the process of extracting, removing, and disposing of
6 sand, gravel, guano, limestone, and all other resources used as building
7 and construction materials that are found within the protected area;

8
9 oo) *Special Account in the General Fund (SAGF)* refers to the trust fund
10 deposited in the national treasury representing the twenty-five percent
11 (25%) of the revenues generated from the operation of individual
12 protected areas and earmarked to support the NIPAS;

13
14 pp) *Fisheries Management Area (FMA)* refers to any Fishery/Fisheries
15 Management Area, as defined in Republic Act No. 10654 amending R.A
16 No. 8550, designated through a Presidential Proclamation or any other
17 form of policy issuance;

18
19 qq) *Small-scale Fishers/Fisherfolk* refers to persons who catch fish and other
20 fisheries products for subsistence and use only passive fishing gears;

21
22 rr) *Special Use Agreement in Protected Areas (SAPA)* refers to a binding
23 instrument between the DENR, as the first party, and the project
24 proponent as the second party, relating to the use and/or development
25 of land, resources, or facilities within protected areas, pursuant to the
26 ENIPAS Act;

27
28 ss) *Strict Protection Zone (SPZ)* refers to portions within protected areas that
29 are closed to human activities by virtue of their significant biodiversity
30 value, high susceptibility to geo-hazards, and identification as
31 permanently dangerous. These areas may also include habitats of
32 threatened species or degraded areas that are designated for restoration
33 and subsequent protection, regardless of their stages of regeneration;

34
35 tt) *Special Uses* refers to activities or development interventions that may
36 be allowed in designated portions of protected areas, subject to the
37 payment of user fee. This may include but not limited to: hotels, resorts
38 and other tourism facilities, communication facilities and transmission
39 lines, large scale power generation lines, large scale power generation
40 projects, large scale agriculture and aquaculture projects, underwater
41 extraction activities, offshore energy projects including but not limited to
42 offshore wind farms, wave energy systems, tidal energy installations,
43 floating solar arrays, oil and gas platforms, submarine cable installations,
44 and other marine infrastructure developments. Excluded from the

1 coverage are activities and development interventions in titled
2 properties, areas already covered by foreshore and miscellaneous
3 leases, as well as Forest Land Use Agreements/Forestland Use
4 Agreements for Tourism issued by the DENR, and other regular uses of
5 protected areas as indicated in the protected area management plan;

6
7 uu) *Special Use Agreement in Protected Areas (SAPA)* refers to a binding
8 instrument between the DENR, as the first party, and the project
9 proponent as the second party, relating to the use and/or development
10 of land, resources, or facilities within protected areas, pursuant to the
11 NIPAS Act as amended;

12
13 vv) *Wildlife* refers to the wild forms and varieties of flora and fauna, in all
14 developmental stages, including those which are in captivity or are being
15 bred, fed, or propagated.

16
17 SEC. 4. *Scope and Coverage.* - The boundaries of the VIPPS are more
18 particularly described as the area beginning at a point marked "1" on the map, being
19 N 65-28-19 W, 2247.547 meters from PRS'92 Control Monument MMRW-46" with
20 geographic coordinates of 13-53-28.86533" N, 120-2-47.07852" E, located at Brgy.
21 Cabra (Cabra Island), Lubang, Occidental Mindoro.

22
23 The point of beginning containing an area of one million seven hundred 11
24 thousand one hundred eighty (1,700,180) hectares more or less.

25
26 SEC. 5. *Management Zoning.* - The DENR Secretary, upon the
27 recommendation of the Protected Area Management Board (PAMB), shall designate
28 Strict Protection Zones (SPZ) within the VIPPS in areas with significant biodiversity
29 values or habitats of threatened species, based on a comprehensive biodiversity
30 inventory and assessments.

31
32 The areas outside of the strict protection zone but within the VIPPS shall
33 automatically be designated as the Multiple-Use Zone and will be managed in close
34 coordination with the Fisheries Management Area No. 12, pursuant to Republic Act
35 No. 11038, or the "Expanded NIPAS Act of 2018", amending Republic Act No. 7586,
36 and Republic Act No. 8550 or the "Philippine Fisheries Code of 1998", as amended by
37 Republic Act No. 10654, or its Implementing Rules and Regulations.

38
39 The DENR Secretary, also upon recommendation of the PAMB, may designate
40 areas surrounding the VIPPS as Buffer Zones for the purpose of providing extra layer
41 of protection where restrictions may be applied: *Provided, That*, in cases where the
42 designated buffer zone would cover private lands, the owners thereof shall be required
43 to design their development with due consideration to the protected area management
44 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-MB)

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-MB), which shall be the sole policy-making body of the VIPPS. The management and administration of the VIPPS shall be vested in the VIPPS-MB, 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;

1 e) Chairpersons of all the barangays with territorial jurisdiction over
2 VIPPS or their duly authorized representative/s;

3
4 f) Regional Executive Directors of Department of Agriculture - Bureau of
5 Fisheries and Aquatic Resources (DA-BFAR), the Department of
6 Science and Technology (DOST), the Department of National Defense
7 (DND), the Philippine National Police - Maritime Group (PNP-MG), the
8 Department of Tourism (DOT), Department of Energy (DOE), the
9 Department of Information and Communication and Technology (DICT),
10 representatives from the Department of Economy, Planning, and
11 Development (DepDev) and the Philippine Coast Guard (PCG);
12

13 g) One (1) representative from the Provincial Fisheries and Aquatic
14 Resources Management Council (PFARMC) of each province and one
15 (1) representative from the Municipal Fisheries and Aquatic Resources
16 Management Council (MFARMC) of each municipality within the VIPPS;
17

18 h) At least twenty (20) representatives from NGOs or POs duly
19 accredited by the DENR, with a minimum of five (5) representatives from
20 each VIP province. The NGOs or POs should have been in existence for
21 at least five (5) years and with at least three (3) years of experience in
22 relation to protected area and research;
23

24 i) Four (4) representatives from Academic Institutions, preferably from
25 universities or colleges with proven track records in protected area
26 management and research;
27

28 j) One (1) representative from the private sector, preferably from the
29 fishing sector; and
30

31 k) One (1) representative per province from the youth sector, preferably
32 from a group with a proven track record in relation to protected area
33 management and research.
34

35 Ex officio members or members of the VIPPS-MB by virtue of their elective or
36 appointive government positions as specified in the immediately preceding
37 subparagraphs (a), (b), (c), (d), and (e) shall serve for the duration of their respective
38 terms of office in their respective elective or appointive government positions.
39

40 On the other hand, the members of the VIPPS-MB specified under
41 subparagraphs (f) and (g) of this section shall be appointed by the DENR Secretary
42 after the conduct of a transparent and fair selection process. They shall each serve a
43 term of three (3) years and may be reappointed for another term.
44

45 The members of the VIPPS-MB shall serve without compensation, except for
46 the actual and necessary traveling and subsistence expenses incurred in the
47 performance of their duties, either in their attendance in meetings of the VIPPS-MB or
48 in connection with other official business authorized, through a resolution, by the

VIPPS-MB, subject to existing rules and regulations. Each member shall have the full capacity and accountability for decisions binding to the member's sector.

The members of the VIPPS-MB 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 VIPPS-MB are duly appointed by the DENR Secretary: *Provided, further, That*, at least forty percent (40%) of the VIPPS-MB members shall be women pursuant to Republic Act No. 9710 or The Magna Carta of Women.

The VIPPS-MB 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 VIPPS-MB members and may co-opt additional technical experts as needed. The committees shall report to the VIPPS-MB and make recommendations on matters within their respective areas of expertise, provided that final decision-making authority remains with the full VIPPS-MB.

A member of the VIPPS-MB 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 VIPPS-MB 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 VIPPS-MB; serving as an officer, director, or consultant to entities whose operations may be affected by VIPPS-MB decisions; or engaging in activities that contradict or undermine the conservation objectives and management decisions of the VIPPS-MB;
- d) Termination or Disassociation from the office or organization being represented; or
- e) Conviction by final judgment of any criminal act.

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

1 SEC.7-A. *Powers and Functions of the VIPPS-MB.* - The VIPPS-MB shall have
2 the following powers and functions:

- 3
- 4 a) Oversee the management of the protected area/s;
- 5 b) Approve policies, plans, and programs, proposals, agreements, and
- 6 other related documents for the management of the protected areas;
- 7 c) Approve the management plan of the protected area and ensure its
- 8 harmonization and integration with national and other development
- 9 plans, such as the FMA plan, public or private, and its implementation;
- 10 d) Adopt a manual of operations to include rules of procedures in the
- 11 conduct of business, and the creation of committees and their
- 12 respective terms of reference;
- 13 e) Recommend the deputation of appropriate agencies and individuals
- 14 for the enforcement of the laws, rules, and regulations governing the
- 15 management of the protected area;
- 16 f) Approve the recommendation of the FMC for the declaration of an
- 17 area as ceasing from being an NTZ;
- 18 g) Allocate financial resources for the implementation of the
- 19 management plan and manage the Protected Area Retention Income
- 20 Account and other funds in accordance with the accounting and
- 21 budgeting rules and regulations;
- 22 h) Set fees and charges in accordance with existing guidelines;
- 23 i) Issue rules and regulations for the resolution of conflicts through
- 24 appropriate and effective means;
- 25 j) Recommend appropriate policy changes to the DENR and other
- 26 government authorities;
- 27 k) Monitor and assess the performance of the Protected Area
- 28 Superintendent (PASu) and other protected area personnel and
- 29 compliance of partners with the terms and conditions of any
- 30 undertaking, contract, or agreement;
- 31 l) Recommend from among a shortlist of qualified candidates, the
- 32 designation or appointment of the PASu; and
- 33 m) Assess the effectiveness of the management of the protected area/s
- 34 annually.
- 35

36 *Provided,* That the members of the VIPPS-MB shall inform their respective

37 constituents, offices or sectors, of VIPPS-MB-approved or other relevant policies,

38 rules, regulations, programs, and projects and shall ensure that the provisions of this

39 Act and its implementing rules and regulations are complied with, and used as

40 reference and framework in their respective plans, policies, programs, and projects.

41 Failure to comply with the foregoing shall be the basis for disciplinary action against

42 such member according to administrative rules and regulations and such penalties as

43 the VIPPS-MB may provide: *Provided, further,* That the DENR, through the

44 Undersecretary, shall ensure that the VIPPS-MB acts within the scope of its powers

1 and functions. In case of conflict between the resolutions issued by the VIPPS-MB and
2 the existing administrative orders of national application, the latter shall prevail.

3
4 SEC. 7-B. *The Protected Area Management Office (PAMO).* - With reference
5 and pursuant to the ENIPAS Act of 2018, there is hereby established a VIPPS
6 Protected Area Management Office (PAMO) to be headed by a Protected Area
7 Superintendent (PASu) with a permanent plantilla position who shall supervise the
8 day-to-day management, protection, and administration of the VIPPS. The PASu must
9 be a resident of one of the five (5) provinces within the VIPPS. A sufficient number of
10 support staff with permanent plantilla positions shall be appointed by the DENR to
11 assist the PASu in the management of the VIPPS.

12
13 The PASu shall be primarily accountable to the VIPPS-MB and the DENR for the
14 management and operations of the protected area. Pursuant thereto, the PASu shall
15 have the following duties and responsibilities:

- 16
17 a) Prepare the management plan, in consultation with the stakeholders,
18 including the annual work and financial plans, and ensure its
19 implementation;
- 20 b) Ensure the integration of the protected area management plans,
21 programs, projects, and policies with relevant national plans and
22 programs;
- 23 c) Provide secretariat services to the VIPPS-MB and its committees and
24 ensure the availability of relevant and timely information for decision-
25 making;
- 26 d) Formulate and recommend to the VIPPS-MB proposed policies, rules,
27 regulations, and programs;
- 28 e) Establish, operate, and maintain a database management system, which
29 shall be an important basis for decision-making;
- 30 f) Enforce the laws, rules, and regulations relevant to the protected area,
31 commence and institute administrative and legal actions in collaboration
32 with other government agencies or organizations, and assist in the
33 prosecution of offenses committed in violation of this Act;
- 34 g) Monitor, evaluate, and report the implementation of management activities
35 of the protected area;
- 36 h) Request for and receive any technical assistance, support, or advice from
37 any agency or instrumentality of the government, as well as academic
38 institutions, NGOs, people's organizations, and the private sector, as may
39 be necessary for the effective management, protection, and administration
40 of the protected area;
- 41 i) Issue permits and clearances for activities that implement the
42 management plan and other permitted activities in accordance with terms,
43 conditions, and criteria established by the VIPPS-MB: *Provided, That, all*
44 permits for extraction activities, including collection for research purposes,

1 shall also continue to be issued by relevant authorities, subject to prior
2 clearance from the VIPPS-MB, through the PASu, in accordance with the
3 specific acts to be covered;

- 4 j) Collect and/or receive pertinent fees, charges, donations, and other
5 income for the protected area: *Provided*, That, such fees, charges,
6 donations, and other income collected/received shall be reported regularly
7 to the VIPPS-MB and the DENR in accordance with existing guidelines;
8 k) Prepare and recommend to the VIPPS-MB approval of the annual work
9 and financial plans of the protected area based on the management plan;
10 l) Directly report to the DENR Regional Executive Director; and
11 m) Perform such other functions as the VIPPS-MB and the DENR may
12 assign.

13
14 SEC. 8. *Role of the DENR.* - The DENR shall perform all the functions as
15 stipulated in the ENIPAS Act of 2018, as well as coordinate and collaborate closely
16 with other concerned government agencies, to ensure the sound management and
17 conservation of the VIPPS. It shall also provide technical and financial assistance to
18 the VIPPS as may be needed.

19
20 SEC. 9. *Reporting Responsibility.* - Pursuant to the ENIPAS Act of 2018, the
21 PASu, through the VIPPS-MB, shall submit an annual accomplishment report of the
22 protected area to the Secretary of the DENR through the Biodiversity Management
23 Bureau (BMB). A report on the conditions and benefits of the biological resources and
24 ecosystem services of the protected area shall also be submitted by the PASu, through
25 channels, to the Secretary of the DENR every five (5) years. Further, the PASu shall
26 coordinate with and provide the necessary documents needed by the BMB for the
27 preparation of the National State of Protected Areas (NSPAs) report every five (5)
28 years, to be submitted to the President, the Senate, and the House of Representatives.

30 CHAPTER III

31 DEVELOPMENT, FISHING, EXPLORATION, AND RESEARCH ACTIVITIES AT 32 THE VIPPS, AND PARTNERSHIP AMONG GOVERNMENT, NON-GOVERNMENT, 33 AND PEOPLE'S ORGANIZATIONS

34
35 SEC. 10. *Environmental Impact Assessment (EIA).* - Considering that protected
36 areas are environmentally critical areas, the proponent of development projects and
37 activities with potentially significant adverse impacts, as determined by the
38 Environmental Management Bureau (EMB), whether or not these projects or activities
39 are included in the management plan, shall secure an Environmental Compliance
40 Certificate (ECC) in accordance with the Philippine Environment Impact Statement
41 (EIS) System: *Provided*, That, for development projects and activities that are not
42 environmentally critical, an initial environmental examination (IEE) shall be undertaken
43 instead of a full-blown EIA. No project or activity shall be undertaken by any project
44 proponent without prior clearance from the PAMB. The DENR shall require the

1 submission of the VIPPS-MB clearance, among others, before issuing an ECC to a
2 project proponent.

3
4 Implementation of such activities shall not be allowed without the required ECC
5 under the Philippine EIA System. Violations of environmental laws, rules, and
6 regulations, including those under the EIA System, shall be penalized accordingly.

7 SEC. 11. *Energy Resources, Mining, and Quarrying Prohibition.* - Consistent
8 with Section 14 of the R.A 7586, as amended, the exploration for energy resources
9 shall be allowed in protected areas only for the purpose of gathering data and
10 information, and only if such activity is carried out with the least damage to surrounding
11 areas.

12 No exploration for non-renewable energy projects, large-scale mining, including
13 deep-sea mining, or large-scale quarrying operations may be allowed within the
14 VIPPS. Renewable energy projects may be allowed within the protected area by the
15 VIPPS-MB with the concurrence of the DENR Secretary: *Provided, That*, renewable
16 energy projects, which shall be located outside the strict protection zones, shall
17 undergo the EIA as provided by law, and shall adopt reduced impact technologies so
18 as not to be detrimental to ecosystem functions, biodiversity, cultural practices and
19 traditions: *Provided, further, That*, sufficient bond shall be remitted by the proponent
20 to the DENR. The amount of which will be based on damage estimation upon
21 decommissioning and the projected cost of rehabilitation. It shall be released to the
22 depositor upon the satisfactory decommissioning of all equipment, structures, and
23 improvements and the rehabilitation of the site according to the zones and objectives
24 of the management plan, as attested to by the VIPPS-MB.

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

34
35 A sufficient bond shall be remitted by the proponent to the DENR to be released
36 to the depository bank in the event of damage by or closure of the establishment after
37 satisfactory rehabilitation according to the zones and objectives of the management
38 plan as attested to by the VIPPS-MB.

39
40 SEC. 13. *Small-scale, Municipal, and Commercial Fishing Outside Designated*
41 *No-Take Zones but Within the Protected Areas.* - To ensure the livelihood of fisherfolks

1 in coastal areas across the VIPPS while also maintaining protection of the same,
2 small-scale fishing shall be allowed outside the designated SPZ and NTZ within the
3 protected areas. Municipal and commercial fishing shall likewise be allowed: *Provided*,
4 That the following must be secured:

- 5
- 6 a) In the case of municipal fishing, the necessary license from the local
- 7 government unit concerned;
- 8 b) In the case of commercial fishing, the necessary license from the BFAR:
- 9 *Provided*, That commercial fishing vessels shall not be allowed to
- 10 operate within fifteen (15) kilometers from the shoreline of the VIPPS;
- 11 c) In both cases, the permit from the PASu.
- 12

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

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

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

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

34
35 The FMC shall have the following responsibilities:

- 36
- 37 a) Upon the formulation of the implementing rules and regulations of this
- 38 law, the FMC shall conduct a survey of fishery resources in VIPPS and
- 39 determine the SPZ and NTZ;
- 40

- 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 to cease from being an NTZ, and recommend the same for the approval of the VIPPS-MB;
- d) Report to the PASu and the VIPPS-MB 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.
- d) The Office shall adopt mechanisms to ensure adequate consultation and participatory decision-making processes, recognizing the role and participation of the VIPPS-MB 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 DENR as well as the DA-BFAR, Armed Forces of the Philippines (AFP), PCG, and 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 VIPPS-

1 MB and approval of the DENR. *Bantay Dagat* personnel, by virtue of their existing
2 deputization under applicable laws and local government ordinances, shall have the
3 authority to enforce this Act within the territorial limits of their respective local
4 government units.

5
6 Nothing herein mentioned shall be construed as preventing regular enforcers
7 and police officers from arresting any person in the act of violating said laws and
8 regulations.

9
10 SEC. 16. *Prohibited Acts.* - Pursuant to rules and regulations governing the
11 same and to Section 20 of the ENIPAS Act of 2018, the following acts are prohibited
12 within the VIPPS:

13
14 a) Poaching, killing, destroying, or disturbing of any wildlife within the
15 protected area;

16
17 b) Hunting, taking, collecting, gathering, or possessing of any wildlife or
18 by-products derived therefrom, or resources, whether living or nonliving,
19 in designated SPZ and NTZ within the protected area. The same
20 activities shall also be prohibited outside the designated SPZ and NTZ,
21 but within the protected area, absent the necessary permit, authorization
22 or exemption: *Provided*, That the PASu as authorized by the VIPPS-MB
23 shall issue a permit, authorization or exemption only for fishing activities,
24 culling, scientific research, the exceptions provided in the preceding
25 section and under Section 27(a) of Republic Act No. 9147, or the 'Wildlife
26 Resources Conservation and Protection Act', or harvests of non-
27 protected species in multiple-use zones by fishers who are traditionally
28 operating in the area as may be determined by BFAR;

29
30 c) Possessing or transporting outside the protected area any wildlife, or
31 by-products derived therefrom, which are ascertained to have been
32 taken from the protected area, except as may be allowed by this Act and
33 authorized through obtaining the appropriate permit/s;

34
35 d) Using any fishing or harvesting gear or employing any practices, or
36 any of their variations, that is unsustainable, that are unsustainable or
37 detrimental to coral reefs, seagrass or seaweed beds, or other marine
38 life and their associated habitats; *Provided*, That, mere possession of
39 such gears within the protected area shall be *prima facie* evidence of
40 their use;

41
42 e) Holding fast or securing a vessel in place either by using an anchor or
43 tying onto any part of the reef: *Provided*, That, all vessels permitted to
44 enter shall utilize the mooring buoys provided by the VIPPS;

1
2 f) Dumping, throwing, using, or causing to be dumped into or placed in
3 the protected area of any toxic chemical, noxious or poisonous
4 substance or non-biodegradable material, untreated sewage or animal
5 waste products or products whether in liquid, solid or gas state, including
6 pesticides and other hazardous substances as defined under Republic
7 Act No. 6969, otherwise known as the 'Toxic Substances and Hazardous
8 and Nuclear Wastes Control Act of 1990' detrimental to the protected
9 area, or to the plants, animals, inhabitants or habitats therein;
10

11 h) Operating any motorized conveyance within the protected area
12 without permit from the LGU or VIPPS-MB: *Provided*, That LGUs shall
13 submit to the VIPPS-MB a quarterly list of all permitted motorized
14 conveyances operating within the protected area;
15

16 i) Altering, removing, destroying, or defacing boundary marks, buoys, or
17 signs;
18

19 j) Mutilating, defacing, destroying, excavating, vandalizing, or in any
20 manner, damaging any natural formation, religious, spiritual, historical
21 sites, artifacts, and other objects of natural beauty, scenic value, or
22 objects of interest;
23

24 k) Littering or depositing refuse or debris within the protected area;
25

26 l) Possessing or using blasting caps or explosives anywhere within the
27 protected area;
28

29 m) Occupying or dwelling within the protected area without clearance
30 from the VIPPS-MB;
31

32 n) Entering, enjoying, or utilizing any portion of the VIPPS and the
33 resources therein, for whatever purpose, without the prior permission
34 from the VIPPS-MB;
35

36 o) Obstructing, evading, or hindering Law Enforcement Officers from
37 performing their duties within the Protected Area;
38

39 p) Constructing, erecting, or maintaining any kind of structure, fence, or
40 enclosures, conducting any business enterprise within the protected
41 area without prior clearance from the VIPPS-MB and permit from the
42 DENR, or conducting these activities in a manner that is inconsistent with
43 the management plan duly approved by the VIPPS-MB;
44

1 q) Undertaking mineral exploration or extraction within the protected
2 area, pursuant to Republic Act No. 7942, or the 'Philippine Mining Act of
3 1995';

4
5 r) Engaging in commercial or large-scale quarrying within the protected
6 area;

7
8 s) Establishing or introducing exotic species, including GMOs or invasive
9 alien species within the protected area;

10
11 t) Conducting bioprospecting within the protected area without prior
12 VIPPS-MB clearance in accordance with existing guidelines and
13 Republic Act No. 9147, otherwise known as the "Wildlife Resources
14 Conservation and Protection Act": *Provided*, That in addition to the
15 penalty provided herein, any commercial use of any substance derived
16 from non-permitted bioprospecting within a protected area will not be
17 allowed and all revenue earned from illegal commercialization thereof
18 shall be forfeited and deposited as part of the IPAF;

19
20 u) Prospecting, hunting, or otherwise locating hidden treasures within the
21 protected area;

22
23 SEC.17. *Penalties.* – Violations under this Act shall be subject to the
24 corresponding penalties provided in Section 21 of R.A 7586, as amended by R.A
25 11038, without prejudice to other criminal, civil and administrative liabilities as may be
26 provided under the ENIPAS Act, the Wildlife Resources Conservation and Protection
27 Act, the Fisheries Code, and other related laws.

28
29 CHAPTER V
30 INTEGRATED PROTECTED AREA FUND (IPAF)

31
32 SEC. 18. *Integrated Protected Area Fund (IPAF).* - Pursuant to the ENIPAS Act
33 of 2018, income generated from the operation and management of the VIPPS shall
34 accrue to the Integrated Protected Area Fund (IPAF). The income shall be derived
35 from fees and charges from the use of resources and facilities of the VIPPS;
36 contributions from industries and facilities directly benefiting from the protected area;
37 and such other fees and income derived from the operation of the VIPPS.

38
39 The VIPPS-MB shall retain seventy-five percent (75%) of all revenues raised
40 10 through the above means, which shall be deposited in the Protected Area-Retained
41 Income Account (PA-RIA) in any authorized government depository bank within the
42 locality: *Provided*, That disbursements out of such deposits shall be used solely for the
43 protection, maintenance, administration, and management of the protected area and
44 implementation of duly approved projects of the VIPPS-MB.

1
2 Grants, donations, and endowments from various sources, domestic or foreign,
3 shall be deposited in full in a special account in the National Treasury to be used for
4 the purpose specified in the deeds and instruments covering them.

5
6 Voluntary or legislated payments for ecosystem goods and services, including
7 fines, penalties, and compensation for damages from protected area offenses, shall
8 accrue fully to the PA-RIA and shall be managed by the VIPPS-MB.

9
10 The remaining twenty-five percent (25%) of revenues shall be deposited as a
11 special account in the General Fund in the National Treasury for purposes of financing
12 the projects of the System.

13
14 The use of the IPAF shall be in accordance with existing accounting, budgeting,
15 and auditing rules and regulations: *Provided, further*, That the IPAF shall not be used
16 to cover personal services expenditures.

17
18 The DENR shall submit to the Department of Budget and Management (DBM)
19 and the Department of Finance (DOF) quarterly reports on the financial and physical
20 accomplishments on the utilization of the IPAF and other documents as may be
21 required by the DBM, and shall furnish a copy of the same to the House Committee
22 on Appropriations and the Senate Committee on Finance.

23
24 SEC. 19. *Tax Exemption.*- All grants, bequests and endowments, donations
25 and contributions made to the protected area fund to be used actually, directly, and
26 exclusively by the protected area, shall be exempted from donor's tax and shall be
27 considered as allowable deduction from the gross income of the donor for the purpose
28 of computing the taxable income of the donor in accordance with the provisions of the
29 National Internal Revenue Code of 1997, as amended.

30
31 CHAPTER VI
32 MISCELLANEOUS PROVISIONS
33

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

36
37 SEC. 21. *Transitory Provision.* - Pursuant to the ENIPAS Act of 2018, in order
38 to enhance biological diversity and to develop sustainable livelihood opportunities for
39 tenured migrants, the DENR shall henceforth cease to issue concessions, licenses,
40 permits, clearances, compliance documents, or other instruments that allow utilization
41 of resources within the protected area until the management plan has been put into
42 effect. All existing resource use permits issued for purposes that are authorized within
43 the protected area shall be reviewed and shall not be renewed upon their expiration
44 unless consistent with the management plan and approved by the VIPPS-MB.

1
2 SEC. 22. *Appropriations.* - The amount necessary to carry out the initial
3 implementation of this Act shall be charged against the current appropriations of the
4 Department of Environment and Natural Resources (DENR). Thereafter, Congress
5 shall appropriate such funds as may be necessary for its continued implementation in
6 the annual General Appropriations Act (GAA).
7

8 SEC. 23. *Interpretation and Suppletory Application of Existing Laws.* - The
9 provisions of this Act shall be construed liberally in favor of achieving biodiversity
10 conservation, protection and sustainable development. Provisions of the ENIPAS Act
11 of 2018, Philippine Fisheries Code as amended, the Wildlife Resources Conservation
12 and Protection Act, and existing environmental laws and their corresponding rules and
13 regulations not inconsistent hereto shall have suppletory effect in the implementation
14 of this Act.
15

16 SEC. 24. *Separability Clause.* - If any provision of this Act is declared
17 unconstitutional or invalid, other parts or provisions hereof not affected thereby shall
18 continue to be in full force and effect.
19

20 SEC. 25. *Repealing Clause.* - All laws, decrees, executive orders, rules, and
21 regulations or parts thereof which are contrary to or inconsistent with this Act are
22 hereby repealed, amended, or modified accordingly.
23

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

Approved,