Mr. Speaker:

The Committees on Natural Resources and Appropriations, to which was referred House Bill No. 1130, introduced by Representative Raul “Boboy” C. Tupas, entitled:

“AN ACT
DECLARING TWO PARCELS OF FOREST LAND LOCATED IN SICOGON ISLAND, MUNICIPALITY OF CARLES, PROVINCE OF ILOILO AS A PROTECTED AREA UNDER THE CATEGORY OF WILDLIFE SANCTUARY, PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES”

have considered the same and recommend that the attached House Bill No. 9328 entitled:

“AN ACT
DECLARING TWO PARCELS OF LAND SITUATED WITHIN SICOGON ISLAND, MUNICIPALITY OF CARLES, IN THE PROVINCE OF ILOILO, A PROTECTED AREA WITH THE CATEGORY OF WILDLIFE SANCTUARY UNDER THE NATIONAL INTEGRATED PROTECTED AREAS SYSTEM (NIPAS), TO BE REFERRED TO AS THE SICOGON ISLAND WILDLIFE SANCTUARY, PROVIDING FOR ITS MANAGEMENT, AND APPROPRIATING FUNDS THEREFOR”

be approved in substitution of House Bill No. 1130, with Representatives Tupas, Barzaga, and Yap (E.) as authors thereof.
Respectfully submitted,

REP. ERIC GO YAP
Chairperson
Committee on Appropriations

REP. ELPIDIO F. BARZAGA, JR.
Chairperson
Committee on Natural Resources

THE HONORABLE SPEAKER
House of Representatives
Quezon City
Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 9328
(in substitution of House Bill No. 1130)

Introduced by Representatives Raul “Boboy” C. Tupas,
Elpidio F. Barzaga Jr. and Eric Go Yap

“AN ACT
DECLARING TWO PARCELS OF LAND SITUATED WITHIN
SICOGON ISLAND, MUNICIPALITY OF CARLES, IN THE
PROVINCE OF ILOILO, A PROTECTED AREA WITH THE
CATEGORY OF WILDLIFE SANCTUARY UNDER THE NATIONAL
INTEGRATED PROTECTED AREAS SYSTEM (NIPAS), TO BE
REFERRED TO AS THE SICOGON ISLAND WILDLIFE
SANCTUARY, 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:

ARTICLE I
GENERAL PROVISIONS

SECTION 1. Title. – This Act shall be known as the “Sicogon Island
Wildlife Sanctuary Act”.

SEC. 2. Declaration of Policy. – Cognizant of the profound impact of
human activities on all components of the natural environment, it is hereby
declared the policy of the State to secure for the Filipino people of present and
future generations, the perpetual existence of all native plants and animals
through the declaration of protected areas under the National Integrated
Protected Areas System (NIPAS) within the classification of national park as
provided for in the Constitution.

In recognition of the richness of the biological resources, both flora and
fauna, that are native and distinct to Sicogon Island, as well as their aesthetic and
ecological importance, two parcels of land situated in Sicogon Island, Municipality of Carles, in the Province of Iloilo, is hereby declared a protected area with the category of wildlife sanctuary, and shall hereinafter be referred to as the Sicogon Island Wildlife Sanctuary (SIWS). As such, the State shall ensure the conservation, protection, management and rehabilitation of the area. It is likewise recognized that effective administration of this area is possible only through cooperation among national government, local government units (LGUs), concerned nongovernmental 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.

Towards this end, the State shall ensure the full implementation of this Act, the mobilization of resources for the institutional mechanisms herein established, and the full scientific and technical support needed for the conservation of biodiversity and the integrity of the ecosystems, culture and indigenous practices.

SEC. 3. Definition of Terms. – As used in this Act:

a. **Buffer zones** refer to identified areas outside the boundaries of and immediately adjacent to designated protected areas that need special development control in order to avoid or minimize harm to the protected area;

b. **Conservation** refers to any act or acts of preservation and sustainable utilization of wildlife or maintenance, restoration and enhancement of habitats;

c. **Indigenous cultural communities (ICCs)/Indigenous peoples (IPs)** refer to groups 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;

d. **National park** refers to land of the public domain classified as such in the Constitution which includes all areas under the NIPAS, primarily designated for the conservation of native plants and animals, their associated habitats and cultural diversity;

e. **Protected area** refers to an identified portion of land and water set aside by reason of its unique physical and biological significance, managed to
enhance biological diversity and protected against destructive human exploitation;

f. *Tenured migrants* refer to protected area occupants who have been actually, continuously and presently occupying a portion of the protected area for five (5) years before the proclamation or law establishing the same as a protected area, and are solely dependent therein for subsistence; and

g. *Wildlife Sanctuary* refers to an area which assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities or physical features of the environment which may require specific human manipulations for their perpetuation.

**SEC. 4. Classification as a National Park.** – The SIWS is comprised of two (2) parcels of land of the public domain situated within Sicogon Island, Municipality of Carles, Province of Iloilo. All lands of the public domain within the coverage and scope of the SIWS shall fall under the classification of national park as provided for in Article XII, Section 3 of the Constitution.

**SEC. 5. Scope and Coverage.** – The boundaries of the SIWS are more particularly described as follows:

a. Parcel I pertains to the area beginning at a point marked “1” on the map, which is N 87° 57' 08" E, 277.937 meters from PRS Control Monument “Sicogon” with coordinates 1266121.06 N and 527709.24 E located at Barangay Buaya, Sicogon Island, Municipality of Carles, Province of Iloilo,

thence N86-46-21E 532.845 meters to corner 2;

thence S70-50-18E 673.303 meters to corner 3;

thence S82-34-7E 371.117 meters to corner 4;

thence S76-34-41E 180.942 meters to corner 5;

thence N81-41-30E 147.156 meters to corner 6;

thence S34-19-49E 2.337 meters to corner 7;

thence S28-34-18E 311.672 meters to corner 8;

thence S30-15-23E 88.217 meters to corner 9;

thence S58-4-10E 86.045 meters to corner 10;

thence S50-38-54W 68.433 meters to corner 11;

thence S14-49-35E 37.223 meters to corner 12;
thence S48-28-6W  49.482  meters to corner 13;
thence N89-10-11W  73.033  meters to corner 14;
thence S65-42-33W  131.208  meters to corner 15;
thence S21-19-4W  46.579  meters to corner 16;
thence S37-20-0W  78.531  meters to corner 17;
thence S9-11-20W  72.902  meters to corner 18;
thence N51-26-34W  165.237  meters to corner 19;
thence N81-44-26W  438.549  meters to corner 20;
thence N86-12-6W  241.531  meters to corner 21;
thence S65-42-22W  157.991  meters to corner 22;
thence S0-49-49E  414.043  meters to corner 23;
thence S30-26-37W  264.462  meters to corner 24;
thence N32-3-13W  126.246  meters to corner 25;
thence N9-45-0W  360.203  meters to corner 28;
thence N47-10-54W  297.200  meters to corner 29;
thence S70-34-38W  183.439  meters to corner 30;
thence N40-13-28W  560.560  meters to corner 31;
thence N9-45-58E  713.337  meters to corner 32;
thence S75-44-26E  560.262  meters to corner 1,
and comprises two hundred fifty-one (251) hectares, more or less.

b. Parcel II pertains to the area beginning at a point marked “1” on the map, which is S23° 53’ 15” E, 2283.684 meters from PRS Control Monument “Sicogon” with coordinates 1266121.06 N and 527709.24 E located at Barangay Buaya, Sicogon Island, Municipality of Carles, Province of Iloilo,
thence S13-30-3E  441.192  meters to corner 2;
thence S2-26-39W  164.149  meters to corner 3;
thence S39-48-20W  468.615  meters to corner 4;
thence N75-24-24W  174.634  meters to corner 5;
thence N3-3-18W  356.507  meters to corner 6;
thence N10-5-51E  222.445  meters to corner 7;
thence N17-24-43E  177.116 meters to corner 8;
thence N61-11-21E  342.381 meters to corner 1,
and comprises thirty-two (32) hectares, more or less.

SEC. 6. Establishment of Buffer Zones. – The DENR Secretary, upon the
recommendation of the Protected Area Management Board (PAMB) created under
Section 7 of this Act, may designate areas surrounding the SIWS as buffer zones
for the purpose of providing an 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.

ARTICLE II
MANAGEMENT MECHANISMS

SEC. 7. Protected Area Management Board (PAMB) – Within ninety
(90) days from the effectivity of this Act, a Protected Area Management Board
(PAMB) shall be created to oversee the management of the SIWS. The PAMB shall
be composed of the following:

a. DENR Regional Director for Region VI, as Chairperson;
b. Governor of the Province of Iloilo or a duly authorized representative;
c. Senators of the Republic of the Philippines who are duly registered
   residents of Iloilo, or their duly designated representatives, unless the
   Senators decline the membership in the PAMB;
d. District Representatives of the Congressional Districts where the SIWS
   is located, or their duly designated representatives, unless the District
   Representatives decline the membership in the PAMB;
e. Mayor of the Municipality of Carles, in the Province of Iloilo or a duly
   authorized representative;
f. Chairpersons of the all the barangays with territorial jurisdiction over
   the SIWS;
g. Regional Directors of the following government agencies, namely: the
   Department of Agriculture (DA), the National Economic and
   Development Authority (NEDA), the Department of Science and
   Technology (DOST), the Philippine National Police (PNP), and the
Department of National Defense (DND);

h. Three (3) representatives from NGOs or people’s organizations (POs) based in the Province of Iloilo, duly accredited both by the DENR and the provincial government. The NGOs or POs represented should have been in existence for at least five (5) years and must have a record of accomplishments in the field of protected area management;

i. At least one (1) but not more than three (3) representatives from all the ICCs/IPs present in the area and recognized by the National Commission on Indigenous Peoples (NCIP);

j. One (1) representative from an academic institution, preferably from a university or college in the Province of Iloilo, with a record of accomplishments in or related to protected area management; and

k. One (1) representative from the private sector, preferably a resident of the Province of Iloilo, who is distinguished in a profession or field of interest relevant to the protected area management.

The terms of office of members of the PAMB, as well as the grounds for their removal shall be in accordance with the provisions of Republic Act No. 7586, otherwise known as the “National Integrated Protected Areas System Act of 1992”, as amended by Republic Act No. 11038, otherwise known as the “Expanded National Integrated Protected Areas System Act of 2018”.

SEC. 8. Functions of the PAMB. – The PAMB shall have the following powers and functions:

a. Oversee the management of the protected area;

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 with and integration into the Ancestral Domain Sustainable Development and Protection Plan, land use plan and other development plans, public or private, and their 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. Allocate financial resources for the implementation of the management plan and manage the Protected Area Retention Income Account and other funds in accordance with government accounting, budgeting and auditing rules and regulations;

g. Set fees and charges in accordance with existing guidelines;

h. Issue rules and regulations for the resolution of conflicts through appropriate and effective means;

i. Recommend appropriate policy changes to the DENR and other government authorities with respect to the management of the SIWS;

j. 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 relative to any project or activity within the SIWS;

k. Recommend from among a shortlist of qualified candidates, the designation or appointment of the PASu; and

l. Assess the effectiveness of the management of the protected area: Provided, That the members of the PAMB representing the LGUs and national agencies 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 the rules and regulations issued to implement 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 Regional Director, 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. 9. The Protected Area Management Office (PAMO). — There is hereby established a Protected Area Management Office (PAMO) to be headed by a Protected Area Superintendent (PASu) who shall supervise the day to day management, protection, and administration of the SIWS. The PASu shall hold a permanent plantilla position and shall be appointed by the DENR Secretary. A sufficient number of support staff with permanent plantilla positions shall likewise be appointed by the DENR Secretary to assist the PASu in the management of the protected area.

The PASu shall be primarily accountable to the PAMB and the DENR for the management and operations of the SIWS. 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 plan and ensure its implementation;

b. Ensure the integration of the protected area management plans, programs, projects, and policies with relevant national and LGUs' 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 the provisions 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, 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 of natural resources, including collection of wildlife, and its by-products or derivatives for research purposes, shall 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 receive pertinent fees, charges, donations, and other income for the protected area: *Provided*, That such fees, charges, donations, and other income collected and 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; and

l. Perform such other functions as the PAMB and the DENR may assign.

The PAMO may be augmented by the deputized local environment and natural resources officers upon the recommendation of the PAMB and approval of the DENR.

**ARTICLE III**

**PROCEEDS AND FEES**

**SEC. 10. The Sicogon Island Wildlife Sanctuary Fund.** – There is hereby established a trust fund to be known as the Sicogon Island Wildlife Sanctuary Fund for purposes of financing projects of the SIWS and the NIPAS. All income generated from the operation and management of wild flora and fauna in the SIWS shall accrue to the fund. The income shall be derived from fees from permitted sale and export of flora and fauna and other resources from the SIWS, proceeds from lease of multiple-use areas, contributions from industries and facilities directly benefiting from the SIWS, and such other fees and income derived from the operation of the SIWS.

The PAMB shall retain seventy-five percent (75%) of all revenues raised 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. 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 programs and projects of the NIPAS.

The fund may be augmented by grants, donations, endowment from various sources, domestic or foreign: Provided, That the fund shall be deposited in full as a special account in the National Treasury and disbursements therefrom shall be made solely for the protection, maintenance, administration, and management of the NIPAS and duly approved projects endorsed by the PAMB in accordance with existing accounting, budgeting, and auditing rules and regulations: Provided, further, That the fund shall not be used to cover personal services expenditures.

The LGUs shall continue to impose and collect all other fees not enumerated herein which they have traditionally collected, such as business permits, property tax and rentals of LGUs' facilities.

ARTICLE IV
TRANSITORY AND MISCELLANEOUS PROVISIONS

SEC. 11. Appropriations. – The Secretary of the DENR shall immediately include in the Department’s program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 12. Suppletory Application of the NIPAS Law. – The provisions of Republic Act No. 7586, as amended by Republic Act No. 11038, shall have suppletory application to this Act.

SEC. 13. Implementing Rules and Regulations. – Within ninety (90) days from the effectivity of this Act, the Secretary of the DENR shall, in consultation with the local government of the Municipality of Carles, the provincial government of Iloilo, and concerned national government agencies, issue the corresponding rules and regulations for the effective implementation of this Act.

SEC. 14. Separability Clause. – If any section or provision of this Act is held unconstitutional or invalid, the remaining sections or provisions with the provisions not affected thereby shall continue to be in full force and effect.
SEC. 15. Repealing Clause. – All laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 16. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation

Approved,