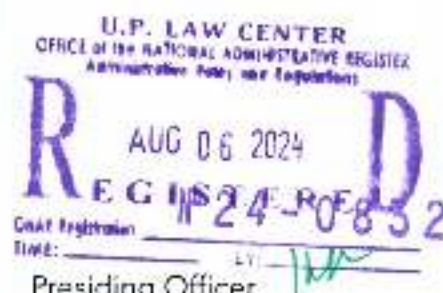


**Republic of the Philippines**  
**TUBBATAHA PROTECTED AREA MANAGEMENT BOARD**  
**Puerto Princesa City**

Excerpts from the TPAMB Meeting  
Zoom ID No. 862 3923 3025  
30 May 2024

**Present:**

- |  |                   |
|--|-------------------|
| 1. Katherine P. Custodio, WWF-Phils            | Presiding Officer |
| 2. PENRO Felizardo Cayatoc, DENR               | Member            |
| 3. Mr. Mario Basaya, BFAR                      | Member            |
| 4. Capt. Antolin R Cayabo, CGD-Pal             | Member            |
| 5. Dr. Ronald Ona, Palawan State University    | Member            |
| 6. Mr. Marco Angelo Ancheta, PCSSD             | Member            |
| 7. Mr. Niño Jess Mar Mecha, WPU                | Member            |
| 8. Ms. Angelica Querubin, Saguda Palawan       | Member            |
| 9. Col. Reynaldo Balido, WesCom                | Member            |
| 10. Mr. Marlon Javier, SP-COA                  | Member            |
| 11. Hon. Sergio Tapalla, LGU- Cagayancillo     | Member            |
| 12. Hon. Jerry Buncag, ENR Com- Cagayancillo   | Member            |
| 13. Ptr. Jehu Cayaon, Tambuli ta mga Kagayanen | Member            |
| 14. Ms. Ma. Elizabeth Sabando, PGP             | Member            |
| 15. Capt. Maynard Cabungcal, NFW               | Member            |



**TPAMB Resolution No. 24-07**

**"APPROVING ADMINISTRATIVE ORDER NO. 01 SERIES OF 2024 OR THE REVISED IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT 10067, OTHERWISE KNOWN AS AN ACT ESTABLISHING THE TUBBATAHA REEFS NATURAL PARK (TRNP) IN THE PROVINCE OF PALAWAN AS A PROTECTED AREA UNDER THE NIPAS ACT (RA 7586) AND THE STRATEGIC ENVIRONMENTAL PLAN (SEP) FOR PALAWAN ACT (RA 7611), PROVIDING FOR ITS MANAGEMENT AND FOR OTHER PURPOSES"**

**WHEREAS**, the Tubbataha Reefs Natural Park Act of 2009, also known as Republic Act (R.A.) No. 10067 aims to ensure the protection of the globally significant economic and other values of the Tubbataha Reefs;

**WHEREAS**, the Tubbataha Protected Area Management Board (TPAMB) was established pursuant to Section 10 of R.A. 10067 to be the sole policy-making and permit-granting body for the Tubbataha;

**WHEREAS**, Section 13 (I) states that one of the powers and functions of the TPAMB is to 'exercise quasi-judicial functions for adjudicating cases of violations of this Act and impose penalties for violations of guidelines, rules and regulations within TRNP';

**WHEREAS**, TPAMB Resolution No. 10-004, 'Approving the Implementing Rules and Regulations (IRR) of the Tubbataha Reefs Natural Park Act of 2009, Providing for its





Management and Other Purposes', also known as the Administrative Order No. 1, series of 2012 included the TRNP Tourism and Research Rules and Regulations and other matters;

**WHEREAS**, the 2024 series of the IRR aims to clarify the provisions of RA 10067, outline the specific processes, procedures, and guidelines needed to implement the law, offer guidance to government agencies, private entities, and the general public on their roles and responsibilities under the law, promote accountability and transparency in the implementation of the law, and provide operational guidance in the implementation of the Act;

**NOW THEREFORE**, for and in consideration of the above premises, the TPAMB approves, as it is hereby approved, Administrative Order No. 01 Series of 2024 or the Revised Implementing Rules And Regulations of Republic Act 10067 otherwise known as An Act Establishing The Tubbataha Reefs Natural Park (TRNP) in the Province of Palawan as a Protected Area under the NIPAS Act (RA 7586) and the Strategic Environmental Plan (SEP) for Palawan Act (RA 7611), Providing for its Management and for Other Purposes".

Pursuant to Section 13 (a), (e), and (l) of Republic Act No. 10067 or the TRNP Act of 2009 and consistent with other environmental laws relevant to the TRNP, the Implementing Rules and Regulations for TRNP issued through Executive Committee Resolution 12-026 dated 16 January 2012 as amended by TPAMB Resolution 17-04 dated 28 February 2017 is hereby revised incorporating and integrating all existing regulations relevant thereto.

**SUBJECT: ADMINISTRATIVE ORDER NO. 01 SERIES OF 2024**

**Section 1. Short Title.** *This Act shall be known and referred to as the "Tubbataha Reefs Natural Park (TRNP) Act of 2009".*

**Rule 1.1.** This Administrative Order shall be known as the Revised Implementing Rules and Regulations of Republic Act No. 10067, otherwise known as the Tubbataha Reefs Natural Park (TRNP) Act of 2009.

**Rule 1.2.** This Order shall cover all acts of persons or entities within the TRNP and/or all other matters over which the TPAMB has jurisdiction.

**Section 2. Declaration of Policy.** *It shall be the declared policy of the State to ensure the protection and conservation of the globally significant economic, biological, sociocultural, educational, and scientific values of the Tubbataha Reefs into perpetuity for the enjoyment of present and future generations. These shall be pursued by managing the TRNP under a "no-take" policy and through a sustainable and participatory management, taking into consideration all applicable laws and international conventions to which the Philippines is a signatory.*

*It shall further be the policy of the State to promote the Tubbataha Reefs, with the end in view of fostering widespread awareness and concern for the same. Towards this end, the State shall undertake to carry out comprehensive and holistic promotions, training and information campaign programs for the benefit of the general public, in pursuance of the duty of the State to uphold the primacy of protecting, preserving and promoting these resources.*

*Finally, it shall be the policy of the State to encourage the participation of the private sector and the local government units in the protection, preservation and promotion of the Tubbataha Reefs.*



**Rule 2.1.** In applying the precautionary principle, Section 2, Rule 20 of the Rules of Procedure for Environmental Cases shall prevail.

**Section 3. Definition of Terms.** For purposes of this Act, the following terms shall be defined as follows:

- (a) "Bioprospecting" refers to research, collection and utilization of biological and genetic resources for purposes of applying the knowledge derived therefrom solely for commercial purposes;
- (b) "Buffer Zone" refers to the identified area outside the boundaries of and immediately adjacent to TRNP that needs special development control in order to avoid or minimize harm to the protected area;
- (c) "Commercial Fishers/Fisherfolk" refers to persons who catch fish and other fishery products using fishing vessels of more than three (3) gross tons;
- (d) "Conservation Fees" refer to fees collected from authorized users of the TRNP;
- (e) "Corals" refers to all bottom dwelling animals under the phylum Cnidaria, which are a major part of the reef community. The definition includes four (4) types of corals: (1) those that produce a hard skeleton out of calcium carbonate such as all scleractinian corals, the hydrozoan corals (firecorals), and the blue and red corals under the genera *Heliopora* and *Tubipora*; (2) the antipatharian or black corals with a rigid, chitinous skeleton; (3) the gorgonians with a horny and/or calcareous axis; and (4) the soft bodied anthozoans such as sea anemones, and the soft corals under the systematical group of *Alcyonaria* or *Octocorallia*;
- (f) "Exotic Species" refer to species or subspecies that do not naturally occur within the biogeographic region of the TRNP at present or in historical time;
- (g) "Explosives" refer to dynamite or other chemical compounds that contain combustible elements or ingredients which upon ignition by friction, concussion, percussion or detonation of all or parts of the compound will kill, stupefy, disable or render unconscious any species. It also refers to any other substance and/or device, including blasting caps or any other component or part of explosive devices, which causes an explosion that is capable of producing the said harmful effects on any resources and capable of damaging and altering the natural habitat;
- (h) "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 TRNP;
- (i) "Kayakas" refers to the fishing method known as the local version of the muro-ami but smaller in size, using bamboo or trunk trees as scaring devices aside from coconut or other leaves or materials to drive the fishes and other marine resources out of the coral reefs, at the same time pounding the corals;
- (j) "Littering" refers to the disposal of small amounts of non-biodegradable solid waste materials such as, but not limited to, cigarette butts, candy wrappers, plastic materials, bottles and glasses in the TRNP;
- (k) "Management Plan" refers to the fundamental strategy and/or scheme which shall guide all activities relating to the TRNP in order to attain the objectives of this Act;
- (l) "Municipal Fishers/Fisherfolk" refers to persons who catch fish and other fishery products using fishing vessels of three (3) gross tons or less, or whose fishing does not require the use of fishing vessels;
- (m) "Muro-ami" refers to the method used in reef fishing consisting of a movable bagnet, detachable wings and scarelines having plastic strips and iron/steel/stone weights, effecting fish capture by spreading the net in an arc around reefs or shoals and, with the use of the scarelines, a cordon of people drive the fish towards the



waiting net while pounding the corals by means of heavy weights like iron/steel/stone or rock making it destructive to corals;

- (n) "Nongovernment Organization (NGO)" refers to any civic, developmental, environmental or philanthropic nonstock, nonprofit 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;
- (o) "Non-Renewable Resources" refer to those resources that cannot be remade, regrown or regenerated on a scale comparative to its consumption;
- (p) "Noxious or Poisonous Substances" refer to any substance, plant extracts or juice thereof, sodium cyanide and/or cyanide compounds or, other chemicals either in raw or processed form, harmful or harmless to human beings, which will kill, stupefy, disable or render unconscious any marine organism and capable of damaging and altering the natural habitat;
- (q) "PASu" refers to the Protected Area Superintendent of the TRNP;
- (r) "PCSD" refers to the Palawan Council for Sustainable Development as created under Republic Act No. 7611, otherwise known as the Strategic Environmental Plan for Palawan Act;
- (s) "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;
- (t) "Poaching" refers to fishing, gathering and/or purchase or possession of any fishery products within the TRNP by any foreign person, foreign corporation or foreign entity or operating any foreign fishing vessel by any person, corporation or entity within the TRNP;
- (u) "Protected Area" refers to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation;
- (v) "Protected Species" refer to any plant or animal 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 Flora and Fauna and all its Annexes, the Convention on the Conservation of Migratory Species, those specified under the red-list categories of the International Union for the Conservation of Nature and Natural Resources, or any plant or animal which the Tubbataha Protected Area Management Board (TPAMB) or any government agency may deem necessary for conservation and preservation in the TRNP;
- (w) "Purse Seine" refers to the gear characterized by an encircling net having a line at the bottom passing through rings attached to the net, which can be drawn or pursed. Generally, the net is set from a boat or boats around the school of aquatic resources. The bottom of the net is pulled close with the purse line. The net is then pulled aboard the boat or boats until the resources are concentrated in the bunt or bag;
- (x) "Resources" refer to all natural endowments, whether aquatic or terrestrial, living or non-living, found in the TRNP;
- (y) "Stakeholders" refer to individuals, communities, agencies, institutions, organizations, or aggrupations of specific interests or sectors that have a particular interest in the achievement of the objectives of this Act and/or enjoyment or utilization in any form of the resources within the TRNP;



- (z) "Trawl" refers to the gear consisting of a bag-shaped net that is dragged or towed along the bottom or through the water column to take aquatic resources by straining them from the water, including all variations and modifications of trawls in the bottom, mid-water, baby trawls, and tow nets;
- (aa) "TRNP" refers to the Tubbataha Reefs Natural Park;
- (bb) "Vessel" includes every description of watercraft, including non-displacement crafts and seaplanes, used or capable of being used as a means of transportation on water. It shall include everything found therein, except personal effects;
- (cc) "Waste" refers to discarded items of solid, liquid, contained gaseous or semi-solid form, from whatever source, which may cause or contribute to the deterioration of the resources or habitats in the TRNP.

**Rule 3.1.** As used in this Order, the following terms are defined as:

- (dd) "Boat Manager" shall refer to a person who is in charge of overseeing the operations of a vessel while inside the Park;
- (ee) "Dive Operator/Owner" shall refer to a person, either natural or juridical, in possession of an updated business permit, who owns, charts, or rents out a vessel for tourism or other activities within TRNP;
- (ff) "Commercial tourism operations" refers to operations involving delivery of tourism services, such as, but not limited to, diving and bird watching, to either local or foreign tourists for profit;
- (gg) "Commercial filming and photography" refers to digital or film recording of images or sound, or to the use of photographic equipment by a person, business, or entity to capture images for a market audience, for products such as, but not limited to, a documentary, television or feature film, advertisement, or similar projects;
- (hh) "Dumping" act of disposing of solid or liquid waste in TRNP;
- (ii) "Emergency" refers to an event or situation which threatens serious damage to human welfare, property, or the environment;
- (jj) "Entrants" shall refer to any person, either natural or juridical, or vessel entering TRNP, with or without a permit, further classified as follows:
  - i. "Visitors" shall refer to any person entering TRNP primarily for the purpose of tourism, research, or other activities allowed by the TPAMB;
  - ii. "Crew" shall refer to all employees of the boat who man the vessel;
  - iii. "Dive professionals" shall refer to a scuba diving professional, with at least a Divemaster or equivalent rating from a bona fide scuba diving training agency, hired by a dive operator/owner to lead diving activities.
- (kk) "Fishing" means the taking of fishery species from their wild state or habitat, with or without the use of fishing vessels. The mere casting or deployment of fishing gear consummates "fishing," whether or not any fishery species are actually caught;
- (ll) "Holding Tank" refers to a sealed container on board a vessel for temporarily storing sewage/toilet waste matter for treatment or discharge;
- (mm) "Management personnel" refers to heads of divisions, e.g., heads of administration or technical services;





- (nn) "Monitoring" shall refer to activities aimed at examining the progress of ongoing management interventions *vis a vis* pre-determined objectives and performance targets for the TRNP;
- (oo) "Moorings" refers to fixtures installed at the sea bottom to provide vessels with a steady position on which to tie in order to avoid damaging corals and drifting. "Moorings" shall include ropes, chains, buoys, and all other attendant components attached to the concrete blocks or drilled pins necessarily used by the boats for tying;
- (pp) "Non-commercial Operations" refer to tourism activities that are not conducted for profit or financial gain. These operations are typically carried out by individuals or organizations for personal, educational, or recreational purposes, rather than for business or commercial purposes;
- (qq) "Non-management Personnel" refers to staff under the heads of divisions;
- (rr) "PCSSD" refers to the Philippine Commission on Sports Scuba Diving;
- (ss) "Precautionary Principle" when human activities may lead to threats of serious and irreversible damage to the environment that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that threat;
- (tt) "Repeat Offender" shall refer to a person, either natural or juridical who has violated this Rule or has a pending case or has been sanctioned by the TPAMB, TAB, TMO, or a court of law for breaking this Rule or any other applicable laws within the TRNP jurisdiction;
- (uu) "Reprimand" shall refer to a formal written warning issued by the PASu as a disciplinary action to address misconduct and/or violations of rules;
- (vv) "Research" refers to any gathering of data, information, or facts for the advancement of knowledge with or without the intent of publishing its results;
- (ww) "Resource Provider" refers to the party that provides the resource, in this case, the TPAMB;
- (xx) "Resource User" refers to the local or foreign individual, company, organization, institution, or entity, either public or private that will utilize biological resources in TRNP for bioprospecting purposes on the basis of a Bioprospecting Undertaking entered into with the TPAMB;
- (yy) "Service Boats" refers to smaller vessels such as dinghies, zodiacs, rubber boats, and the like, used to transport passengers from the main vessel to other locations in the park, e.g., dive sites;
- (zz) "Superlight" refers to a type of light using halogen or metal halide bulbs that may be located above the sea surface or submerged in the water. It may consist of a ballast, regulator, electric cable, and socket. The source of energy comes from a generator, battery, or dynamo coupled with the main engine of the watercraft;
- (aaa) "Vandalism" refers to deliberate destruction or damage to marine life and park properties;
- (bbb) "Waste" refers to discarded items of solid, liquid, containing gaseous or semi-solid form, from whatever source, which may cause or contribute to the deterioration of the resources or habitats in the TRNP.

**Section 4. Scope and Coverage.** *The Tubbataha Reefs Natural Park (TRNP), which shall cover an approximate area of ninety-seven thousand thirty (97,030) hectares, including its islets,*





seabed, and airspace, and which shall include the Tubbataha Reefs and the Jessie Beazley Reef in the Municipality of Cagayancillo in the Province of Palawan, is hereby declared as a protected area. Its boundaries shall be as follows:

	Latitude	Longitude
From Pt. 1	9° 04' 52" N	119° 46' 10" E
to Pt. 2	9° 06' 05" N	119° 48' 22" E
to Pt. 3	8° 58' 09" N	120° 03' 12" E
to Pt. 4	8° 53' 29" N	120° 03' 30" E
to Pt. 5	8° 41' 33" N	119° 50' 41" E
to Pt. 6	8° 43' 09" N	119° 45' 46" E

to point 1, the point of beginning per the Philippine Reference System (PRS) 92 datum.

The Department of Environment and Natural Resources (DENR)-National Mapping and Resource Information Authority (NAMRIA) shall validate the technical descriptions provided in this Act through actual survey/demarcation.

The metes and bounds of the TRNP shall be indicated on maps and/or nautical charts. Any modification of the coverage of this Act due to such factors as changing ecological situation, new scientific or archeological findings, or discovery of traditional boundaries not previously taken into account shall be made through an act of Congress, after consultation with the concerned government agencies.

**Rule 4.1.** The coordinates of the TRNP in PRS 92 Datum are equivalent to WGS 84 as follows:

	Latitude	Longitude
From Pt. 1	9° 4' 47.83" N	119° 46' 15.3" E
to Pt. 2	9° 6' 0.8" N	119° 48' 27.37" E
to Pt. 3	8° 58' 4.88" N	120° 03' 17.39" E
to Pt. 4	8° 53' 24.9" N	120° 3' 35.4" E
to Pt. 5	8° 41' 28.93" N	119° 50' 46.4" E
to Pt. 6	8° 43' 4.92" N	119° 45' 51.41" E

**Section 5. Establishment of a Buffer Zone.** There shall also be established a ten (10)-nautical mile buffer zone from the TRNP, with the following coordinates:

Corner	Latitude	Longitude
1	9° 17' 49" N	119° 47' 42" E
2	9° 04' 48" N	120° 12' 40" E
3	8° 49' 42" N	120° 13' 54" E
4	8° 29' 42" N	119° 53' 04" E
5	8° 36' 13" N	119° 35' 22" E
6	9° 11' 08" N	119° 36' 35" E

to point 1, the point of beginning per the Philippine Reference System (PRS) 92 datum.



**Rule 5.1.** The coordinates of the TRNP buffer zone in PRS 92 Datum are equivalent to WGS 84 as follows:

Corner	Latitude	Longitude
1	9° 17' 44.77" N	119° 47' 47.36" E
2	9° 4' 43.86" N	120° 12' 45.38" E
3	8° 49' 37.93" N	120° 13' 59.4" E
4	8° 29' 37.98" N	119° 53' 9.43" E
5	8° 36' 8.9" N	119° 35' 27.42" E
6	9° 11' 3.8" N	119° 36' 40.37" E

**Section 6. Management of the TRNP.** The management and administration of the TRNP shall be vested with the TPAMB, as herein provided, and shall be consultative and participatory.

**Section 7. Management Plan.** Within one (1) year from the effectivity of this Act, there shall be an initial management plan to be prepared by the Tubbataha Management Office (TMO) in coordination with the local community and various stakeholders, the Palawan Council for Sustainable Development (PCSD), the Municipal Government of Cagayancillo, the Provincial Government of Palawan, with the assistance from the Department of Environment and Natural Resources (DENR) and the Bureau of Fisheries and Aquatic Resources (BFAR). The management plan shall contain, among others:

- (a) a period of applicability for ten (10) years subject to periodic review every three (3) years;
- (b) goals and objectives of management in support of Section 2 hereof;
- (c) key management issues such as, but not limited to, issuance, screening and approval of all development and resource-use activities within the TRNP and adequate protection and restoration of endangered species and fragile ecosystems;
- (d) site management strategy including, but not limited to, establishment of clear and simplified guidelines on the activities that can be allowed within the zones, including the buffer zones;
- (e) major management activities such as, but not limited to, enforcement of laws, habitats and wildlife management, sustainable-use management, infrastructure development and maintenance, fire prevention, pest and disease control, and disaster management;
- (f) mechanism for the protection, regulation and prohibition of those within the TRNP, in accordance with their rights; and
- (g) mechanisms to ensure consultative and participatory decision-making processes. The management plan shall be consistent with the nature of the TRNP as a protected area. It shall be reviewed and approved by the TPAMB, and submitted to the PCSD and the DENR.

**Section 8. Zoning.** A zoning plan shall be adopted within the TRNP, giving primary consideration to the protection and conservation of all life forms in accordance with applicable laws, rules and regulations. Zoning shall also take into consideration the effective protection of habitats, fragile ecosystems and unique areas. The establishment and management of zones shall involve the concerned stakeholders by undertaking such steps as dialogue and community and resource-use mapping. The metes and bounds of each zone shall be indicated on maps and nautical charts.





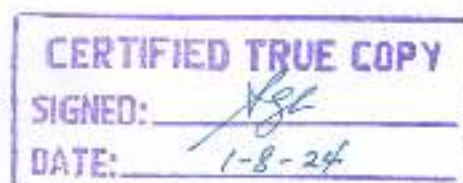
**Rule 8.1.** The TPAMB shall exercise authority over the different management zones in TRNP, to wit;

- a. Buffer zone - Is the area ten (10) nautical miles outside the boundaries of and immediately adjacent to TRNP. The coordinates of the buffer zone are prescribed in Section 5 of RA 10067;
- b. No-go zones - These are areas that are off-limits to all tourism activities. These are the lagoons and islets of North and South Atolls, the cay in Jessie Beazley Reef, and all sandbars, except the sandbar in the Ranger Station;
- c. No-wake zones - These are areas where vessels are expected to travel at slow (idle) speeds of no more than three (3) knots to minimize, if not eliminate, the wake. These are the reef crests and fore reefs of TRNP;
- d. No-fly zones - These are areas where flying unmanned aerial vehicles is prohibited. These are the islets of North and South Atolls, the cay of Jessie Beazley Reef, and all sandbars, except the sandbar in the Ranger Station.

**Section 9. Successor Plan.** Before the expiration of the initial management plan, there shall be a successor plan to be prepared by the Office of the PASu in the same manner as the procedure and principles herein set forth. Two (2) years before the expiration of the initial management plan, the PASu shall cause the publication of notices for comments and suggestions on the successor plan using all available media or at least in a newspaper of local circulation and the posting of such notices in the provincial, municipal and barangay halls and in three (3) other conspicuous areas frequented by the public. The successor plan shall be made available to the public for perusal at the office and sub-offices of the PASu and the PCSD.

**Section 10. Creation and Composition of the TPAMB.** There shall be a TPAMB, which shall be the sole policy-making and permit-granting body of the TRNP. It shall be composed of:

- a) the Regional Executive Director (RED) of Region IV-B of the DENR, to serve as co-chairperson or his/her representative;
- b) the chairperson of the PCSD or his/her representative, to serve as co-chairperson;
- c) the members of the House of Representatives who represent the congressional districts of Palawan or their representatives;
- d) the governor of the Province of Palawan or his/her representative;
- e) the mayor of the Municipality of Cagayancillo or his/her representative;
- f) the chairperson of the Environment and Natural Resources Committee of the Sangguniang Bayan of Cagayancillo;
- g) the chairperson of the Environment and Natural Resources Committee of the Sangguniang Panlalawigan of Palawan;
- h) the chairperson of the Appropriations Committee of the Sangguniang Panlalawigan of Palawan;
- i) the commander of the Western Command (WESCOM) or his/her representative;





- j) the commander of the Naval Forces West (NAVFORWEST) or his/her representative;
- k) the district commander of the Coast Guard District, Palawan;
- l) a representative of the Department of Tourism;
- m) the provincial fishery officer of the Department of Agriculture-Bureau of Fisheries and Aquatic Resources (DA-BFAR) in Palawan or his/her representative;
- n) two (2) representatives from the academe;
- o) three (3) representatives from NGOs involved in the conservation and management of the TRNP; and
- p) two (2) representatives from POs based in the Municipality of Cagayancillo, Province of Palawan and engaged in the conservation and management of the TRNP.

Each member of the TPAMB shall serve for a term of five (5) years: Provided, That he/she remains connected with the sector or office being represented. Whenever a vacancy occurs during the term of a member who does not represent the government, a new member shall be chosen in the same manner as the original selection process to serve the remaining term of his/her predecessor. For members who are elective officials, their appointment shall be co-terminus with their term of office. In the case of appointive government officials who are reassigned to stations or offices outside the Province of Palawan, the successor, without need of appointment, shall assume the seat of the reassigned official in the TPAMB.

The TPAMB en banc shall hold regular meetings at least once every quarter. It may, however, meet on a more regular basis to discuss day-to-day affairs and other matters.

**Rule 10.1. Designation of Regular Members.** Each member organization/agency as enumerated under Section 10 of the TRNP Act shall designate a duly authorized representative who shall sit in person as regular member of the TPAMB.

**Rule 10.2. Permanent Alternates.** Two (2) permanent alternates may be designated by a regular member to sit in the TPAMB in the absence of the latter, pursuant to TPAMB Resolution No. 18-24 dated 17 September 2018. However, only one permanent alternate may represent the regular member during meetings. The permanent alternates shall have the authority to bind the regular member and the agency represented.

**Rule 10.3. NGO Representation.** There shall be one (1) representative each from three (3) NGOs that are involved in the conservation and management of TRNP, preferably locally organized groups. Interested NGOs shall forward to the TMO a letter of interest to join the TPAMB as a member.

Based on the above criteria, the Executive Committee shall screen the applicants and endorse the most qualified to the TPAMB. Should there be more than three (3) qualified NGOs, the ExeCom shall convene a meeting of the NGOs to select among themselves whom to endorse to the TPAMB. The head of the organization shall endorse representatives of an NGO chosen as a member.



**Rule 10.4. People's Organization (PO) Representation.** There shall be one (1) representative PO based in the municipality of Cagayancillo that is engaged in the conservation and management of TRNP. Should there be more than one (1) qualified PO, the same procedure in Rule 10.3 shall apply.

**Rule 10.5. Representation of Academic Institutions.** There shall be one (1) representative each from two (2) academic institutions based in the Province of Palawan that offer courses on natural resources management. Should there be more than two (2) such academic institutions, the same procedure in Rule 10.3 shall apply.

**Rule 10.6. Entry into Office.** Each member, prior to entry into office, shall take an oath of office before any public officer authorized to administer an oath.

**Rule 10.7. Meetings.** The TPAMB shall hold its regular meeting once every quarter in person, virtually, or both (blended). When necessary, the TPAMB may hold more than one (1) regular meeting in one quarter. In case of urgency, the PASu may call a special meeting with the approval of any of the Chairs or their representatives.

**Rule 10.8. Notice of Meetings.** The PASu shall provide written notices to regular meetings at least seven (7) days before the scheduled meeting. The notice shall include the agenda, time, and venue of the meeting and may be delivered electronically or personally.

In case of special meetings, notices indicating the agenda, time, date, and venue shall be served at least one day before the scheduled meeting and may be delivered in any form, e.g., SMS, telephone, e-mail, or other expeditious means.

**Rule 10.9. Presiding Officer.** Any of the Co-chairs or their designated permanent alternates shall preside over the meetings. In the absence of both, the members present shall elect a presiding officer from among themselves. The Presiding Officer shall be the signatory of minutes of meetings, resolutions, and decisions.

**Rule 10.10. Quorum.** A simple majority shall constitute a quorum for the TPAMB to conduct business.

**Rule 10.11. Disciplinary Measures.** Habitual absences in regular TPAMB meetings constitute negligence of duty pursuant to the Uniform Rules on Administrative Cases in the Civil Service. Three (3) absences in a year constitute habitual absenteeism. The TPAMB shall call the attention of habitual absentee members and the agency or organization they represent in the form of a resolution without prejudice to the filing of appropriate administrative cases.

**Rule 10.12. Removal from the TPAMB.** Any one of the following grounds shall cause the removal of an agency's designated permanent alternate representative from the TPAMB and its committees:

- a. More than three (3) absences during scheduled meetings of the TPAMB;
- b. Commission of acts prejudicial to the management of TRNP;
- c. Dissolution of the agency or organization being represented;
- d. Transfer or removal from the agency being represented.

The TMO shall inform the TPAMB and the member agency if any ground/s exists for the removal of its representative from the TPAMB. The agency may immediately replace its representative or the TPAMB may pass a resolution removing the concerned agency representative. An agency representative is deemed removed upon receipt of the TPAMB Resolution.



**Section 11. Executive and Other Committees of the TPAMB.** There shall be an Executive Committee (ExeCom) to which the TPAMB may delegate some of its powers and functions. Its members shall be chosen by the TPAMB from among themselves.

The TPAMB may create other committees as it may deem necessary.

**Rule 11.1. Composition of the Executive Committee.** The following members of the TPAMB shall constitute the Executive Committee:

- a. The Regional Executive Director of Region IV-B of the DENR, to serve as co-chairperson, or his/her representative;
- b. The Chairperson of the PCSD, to serve as co-chairperson or his/her representative;
- c. The Governor of the Province of Palawan or his/her representative;
- d. The Mayor of Cagayanillo or his/her representative;
- e. The Commander of the Western Command or his/her representative;
- f. The Commander of the Naval Forces West or his/her representative;
- g. The District Commander of the Coast Guard District Palawan or his/her representative;
- h. At least two (2) NGO representatives.

**Rule 11.2. Meetings.** The ExeCom shall hold regular meetings once every two months in person, virtually, or both (blended). When necessary, the ExeCom may hold more meetings. In case of urgency, the PASu may initiate a special meeting with the approval of any of the Chairs or their representatives.

**Rule 11.3. Notice of Meetings.** The PASu shall provide written notices to regular meetings at least seven (7) days before the scheduled meeting. The notice shall include the agenda, time, and venue of the meeting and may be delivered electronically or personally.

In special meetings, notices indicating the agenda, time, date, and venue shall be served at least one day before the scheduled meeting and may be delivered in any form, e.g., SMS, telephone, e-mail, or other expeditious means.

**Rule 11.4. Presiding Officer.** Any of the Co-chairs or their designated permanent alternates shall preside over the meetings. In the absence of both, the members present shall elect a presiding officer from among themselves. The Presiding Officer shall be the signatory of minutes of meetings, resolutions, and decisions.

**Rule 11.5. Quorum.** A simple majority shall constitute a quorum for the ExeCom to conduct business.

**Rule 11.6. Powers and Functions.** The following powers and functions are delegated to the ExeCom:

- a. Review all proposals and plans of TMO prior to endorsement to the TPAMB;
- b. Exercise operational oversight over the TMO to ensure that the activities align with the TRNP Management Plan;
- c. Formulate new or recommend amendments or revisions of existing policies and procedures to the TPAMB;
- d. Decide on urgent matters, subject to the ratification of the TPAMB, when it is impractical or impossible to convene the TPAMB;



- e. Perform other functions as the TPAMB may delegate.

**Section 12. Incentives of TPAMB Members.** *In addition to actual and necessary traveling and subsistence expenses incurred in the performance of their duties, the TPAMB members may be granted honoraria and insurance coverage in attending the TPAMB or other TPAMB committee meetings. These expenses may be included in the budget for the TRNP.*

**Rule 12.1. Incentives.** Regular TPAMB and Executive Committee members or their designated permanent alternates attending the meeting are entitled to honoraria. The amount is to be decided by the TPAMB through a resolution but shall not be more than the government-prescribed rate for honoraria.

**Section 13. Powers and Functions of the TPAMB.** *The TPAMB shall have the following powers and functions:*

- (a) *Decide matters relating to planning, resource use and protection, and general administration of the area in accordance with the management plan;*
- (b) *Approve budget allocations, proposals, work plans, action plans, guidelines for management of the TRNP in accordance with the management plan and its policies;*
- (c) *Establish productive partnership, with national and local agencies, local government units, local communities, the academe, nongovernmental organizations, and such other institutions to ensure the conservation and management of the TRNP;*
- (d) *Initiate the implementation of the delineation of the boundaries of the TRNP;*
- (e) *Promulgate rules and regulations and impose penalties for violations thereof;*
- (f) *Ensure the implementation and enforcement of laws, rules and regulations, policies, programs and projects within the TRNP;*
- (g) *Control and regulate construction, operation and maintenance of structure and utilities within the TRNP;*
- (h) *Monitor and evaluate the performance of the TMO and all those implementing activities and projects in the TRNP;*
- (i) *Appoint the TRNP PASu, and, upon recommendation of the PASu, appoint management personnel based on internal selection criteria and decide on their compensation and benefits;*
- (j) *Generate funds and accept donations, grants; appropriate and disburse the same, and exercise accountability over all funds that may accrue to the TRNP;*
- (k) *Manage the TRNP Trust Fund, as herein provided;*
- (l) *Exercise quasi-judicial functions for adjudicating cases of violations of this Act and impose penalties for violations of guidelines, rules and regulations within the TRNP;*
- (m) *Deputize individuals for the enforcement of laws, rules and regulations governing conduct within the TRNP, and prescribe the necessary qualifications therefore;*
- (n) *Retain legal counsel to defend cases against the TPAMB and the Office of the PASu whenever they are sued in connection with the performance of their duties under this Act, guidelines, and rules and regulations pertaining to the TRNP;*
- (o) *Provide adequate measures to ensure consultation and participation of stakeholders;*
- (p) *Possess authority to issue permits and conditions thereto, and determine and collect fees, for the utilization and enjoyment of the TRNP and the resources therein: Provided, That the TPAMB may delegate to the PASu the authority to issue*



permits and collect fees for temporary access to the TRNP such as, visiting or diving, subject to the limits as may be determined by the TPAMB: Provided, however, That entry into the TRNP for emergency reasons shall not be subject to permit and users' fees;

- (q) Determine, based on existing scientific evidence, laws, rules and regulations, international instruments, traditional resource utilization, management modalities in the area, carrying capacity, and observing precautionary principle, the modes of utilization of the TRNP and all the resources found therein. Permits shall only be issued for such modes of utilization and enjoyment as the TPAMB and this Act shall allow; and
- (r) Perform such other functions necessary for the fulfillment of the provisions of this Act and other applicable laws, rules and regulations, and as may be required.

**Section 14. Tubbataha Management Office (TMO).** There shall be a TMO to be headed by the TRNP PASu who shall serve as the chief operating officer of the entire TRNP. The TPAMB will determine the staffing pattern, qualification standards and hiring procedures for the TMO. The PASu and his/her staff shall hold office in a place to be designated by the TPAMB: Provided, That the TPAMB may authorize the establishment of sub-offices for purposes of convenience, safety, accessibility, economy, and such other justifiable reasons: Provided, further, That at least a sub-office shall be established within the TRNP.

The PASu shall have full responsibility for the protection of resources within the TRNP. As such, he/she shall have the following duties and responsibilities in addition to those provided under existing laws and regulations:

- (a) Prepare the management plan and its successor plans as herein provided;
- (b) Serve as Secretary to the TPAMB with the duty to provide the TPAMB with all the information necessary to make appropriate decisions for the implementation of this Act;
- (c) Hire non-management personnel of the TRNP, and recommend management personnel to the TPAMB;
- (d) Supervise the TRNP personnel in the performance of their duties and functions;
- (e) Coordinate and implement with national and local agencies, local government units, local communities, the academe, nongovernmental organizations, and such other institutions to ensure the conservation and management of the TRNP;
- (f) Develop and implement park information, interpretation, education and other visitor programs;
- (g) Enforce the laws, rules and regulations and the TPAMB resolutions relevant to the TRNP, file complaints and assist in the prosecution of offenses;
- (h) Monitor all activities within the TRNP in conformity with the management plan;
- (i) Ensure that consultative and participatory mechanisms are maximized in decision-making; and
- (j) Perform such other functions as the TPAMB may assign.

**Rule 14.1.** In addition, the PASu is authorized to enter into Memoranda of Agreement with public and/or private partners provided that these do not entail expenditures on the part of the TMO or the TPAMB. It is incumbent upon the parties to such agreements to ensure that all terms and conditions, as well as any applicable statutory and regulatory requirements, are strictly observed. Furthermore, prompt and accurate reporting of such agreements must be made to the Executive Committee or the TPAMB.



**Section 15. Role of Local Government Units.** Local government units of Palawan and Cagayancillo shall participate in the management of the TRNP through their representation in the TPAMB. The provisions of this Act shall be incorporated into the municipal and provincial development plans of Cagayancillo and Palawan, respectively, and the Regional Development Plan as part of the environmental concerns of the province and the region. The national and local government units shall likewise ensure that local ordinances pertaining to the environment are consistent with this Act and the management plan, as herein provided.

**Section 16. Role of the DENR and the PCSD.** The DENR and the PCSD shall coordinate closely to ensure the sound management and conservation of the TRNP, provide technical and financial assistance to the TRNP as may be needed.

**Section 17. The TRNP Trust Fund.** There is hereby established a trust fund to be known as the TRNP Trust Fund for purposes of financing projects of the TRNP. All income generated from the operation of the TRNP or management of wild flora and fauna therein shall accrue to said fund. This income shall be derived from visitor/tourist fees, fees from permitted sale and export of flora and fauna and other resources from the TRNP, proceeds from registration and lease of multiple-use areas, including tourism concessions, contributions from industries and facilities directly benefiting from the TRNP; and such other fees and income derived from the operation of the TRNP.

The TRNP Trust Fund may be augmented by grants, donations, endowment from various sources, domestic or foreign, for purposes related to their functions: Provided, That the entire amount shall be set aside and retained by the TPAMB of the TRNP, which shall appropriate the same exclusively for the management and operation of the TRNP. The TPAMB shall have the sole power to decide on the use of its funds from whatever source.

Donations, grants and endowments to the TRNP shall be exempt from the donor's tax and the same shall be considered as allowable deductions from the gross income in the computation of the income tax of the donor.

**Rule 17.1. Share of the Municipality of Cagayancillo.** A share from visitor, vessel, and dive professional entry fees, to be determined by the TPAMB, shall accrue to the Municipality of Cagayancillo annually for exclusive use in livelihood projects and MPA management within the municipality. Provided that the release of such share shall be contingent upon the submission and acceptance by the Executive Committee of an Accomplishment Report with photographs, an Audited Fund Utilization Report of the previous release, and a proposal for the use of the share for the current year.

**Section 18. Energy and Non-Renewable Resources.** Any exploration, exploitation or utilization of non-renewable resources such as, but not limited to, minerals, gas and oil within the TRNP shall not be allowed. Energy projects shall be allowed only through an act of Congress.

**Section 19. Unauthorized Entry, Enjoyment or Use.** No person or entity shall enter, enjoy or utilize any portion of the TRNP and the resources therein for whatever purpose without prior permission from the TPAMB as herein provided.

The TRNP shall be off-limits to navigation, except for activities that are sanctioned by the TPAMB such as, but not limited to, tourism and research. Except in emergency situations, it shall be unlawful to enter the TRNP without prior permission from the TPAMB or the PASu as herein provided. It shall also be unlawful to enter, enjoy or use for any purpose any prohibited



management zone. This rule shall similarly apply to the use of vessels, gears and equipment in management zones where such are not allowed.

Violation of this section shall be subject to imprisonment of not less than six (6) months but not more than one (1) year imprisonment and a fine of One hundred thousand pesos (P100,000.00) but not more than Three hundred thousand pesos (P300,000.00), as may be determined by the TPAMB. If the violator is a commercial fisher/fisherfolk, the penalty shall be imprisonment of not less than one (1) year but not more than three (3) years and a fine of Five hundred thousand pesos (P500,000.00).

**Section 20. Damages to the Reef.** Damages to the reef shall subject the responsible person or entity to the payment of administrative fines set by the TPAMB based on current valuation standards and to the payment of the cost of restoration.

**Rule 20.1.** Administrative penalties for damage to the reef shall not be less than Twelve Thousand Pesos (PhP12,000.00) per square meter. The violator/s shall also be liable for the payment of the cost of restoration which shall not be less than Twelve Thousand Pesos (PhP12,000.00) per square meter, or as may be determined by the TPAMB.

**Section 21. Non-payment of Conservation Fees.** It shall be unlawful for any person or entity to enjoy or utilize the TRNP and the resources therein without payment of conservation fees as may be imposed by the TPAMB.

Violators of this section shall, in addition to the payment of the conservation fee, pay the administrative fine of double the amount of the conservation fee set by the TPAMB for the activity undertaken.

**Rule 21.1.** Dive operators/owners, boat managers, and the top three (3) officers of the vessel involved in the violation are liable for the payment of administrative fines.

**Section 22. Anchoring.** It shall be unlawful for any person or entity to hold fast or secure a vessel in place either by using an anchor or by tying on to any part of the reef. All vessels shall utilize the mooring buoys provided by the TRNP.

Violation of this section shall be penalized with an administrative fine of not less than Fifty thousand pesos (P50,000.00) and not more than One hundred thousand pesos (P100,000.00).

**Section 23. Dumping of Waste and Littering.** It shall be unlawful for any person or entity to dump waste inside the TRNP. It shall likewise be unlawful to clean and change oil of vessels within the TRNP.

Violation of this provision shall be punishable by imprisonment of one (1) year to three (3) years, and fine of not less than Fifty thousand pesos (P50,000.00). The TPAMB shall impose an administrative fine of not less than One hundred thousand pesos (P100,000.00) and not more than Three hundred thousand pesos (P300,000.00), and order the violator to clean up the waste or pay for the clean-up thereof.

It shall likewise be unlawful to litter within the TRNP.

Violation of this provision shall be penalized by the TPAMB with administrative fine of from Fifty thousand pesos (P50,000.00) to One hundred thousand pesos (P100,000.00).



**Rule 23.1.** In determining the fine for dumping of waste the maximum amount shall be imposed whenever the following wastes are present:

- a. Petroleum, Oil, Lubricants (POL) products
- b. All noxious substances
- c. Any other chemical substances

**Rule 23.2.** The amount of fine for littering to be imposed shall depend on the following:

- a. Volume
- b. Kind
- c. Repetition of offense

**Section 24. Bioprospecting Without Permit.** It shall be unlawful to conduct bioprospecting within the TRNP without prior permit from the TPAMB and other concerned agencies.

Violation of this section shall be punished with imprisonment of one (1) year to six (6) years; fine of Five hundred thousand pesos (P500,000.00) to One million pesos (P1,000,000.00). The TPAMB shall also impose administrative fine ranging from Five hundred thousand pesos (P500,000.00) to One million pesos (P1,000,000.00); and confiscation and forfeiture of the resources subject of the offense, equipment, gears and vessels.

**Section 25. Introduction of Exotic Species.** It shall be unlawful to introduce exotic species of plants or animals into the TRNP.

Violation of this section shall be punished with imprisonment of six (6) months to six (6) years; fine of One hundred thousand pesos (P100,000.00) to One million pesos (P1,000,000.00); and forfeiture of the resources subject of the offense, equipment, gears and vessels. The TPAMB shall also impose administrative fine ranging from Two hundred thousand pesos (P200,000.00) to One million pesos (P1,000,000.00); and confiscation and forfeiture of the resources subject of the offense, equipment, gears and vessels.

**Rule 25.1.** The maximum penalty shall be imposed when:

- a. The act may result in the colonization or massive outbreak of the introduced species;
- b. The introduced species acts in competition with endemics resulting in scarcity or extirpation of the latter.

**Section 26. Hunting, Catching, Fishing, Killing, Taking, Gathering, Removing, Destroying, Disturbing or Possessing Resources.** It shall be unlawful for any person to actually or attempt to hunt, catch, fish, kill, take, gather, remove, destroy, disturb or possess any resource, whether living or nonliving, or products derived therefrom. The unauthorized entry of a vessel in the TRNP shall be prima facie evidence of violation of this section.

Violations of this section shall be punished as follows:

- (a) Where the offender uses explosives, noxious or poisonous substances, the penalty shall be imprisonment ranging from six (6) years and one (1) day to twelve (12) years without prejudice to the filing of separate criminal cases when the use of the same result to physical injury or loss of human life; fine ranging from Three hundred thousand pesos (P300,000.00) to Five hundred thousand pesos (P500,000.00). The TPAMB shall also impose administrative fine ranging from Three hundred

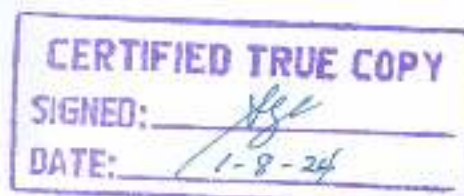


thousand pesos (P300,000.00) to Five hundred thousand pesos (P500,000.00); and confiscation and forfeiture of the resources subject of the offense, equipment, gears and vessels.

The discovery of dynamite, other explosives and chemical compounds which contain combustible elements, or noxious or poisonous substances, in any vessel or in the possession of any person within the TRNP shall constitute prima facie evidence that the same was used in violation of this Act. The discovery of resources caught, taken, killed, removed, gathered or destroyed with the use of explosives, noxious or poisonous substances in any vessel or in the possession of any person within the TRNP shall constitute prima facie evidence of violation of this Act.

- (b) Where the offender merely possesses explosive, noxious or poisonous substances within the TRNP, the punishment shall be imprisonment ranging from four (4) years and two (2) months and one (1) day to six (6) years; fine ranging from One hundred thousand pesos (P 100,000.00) to Three hundred thousand pesos (P300,000.00). The TPAMB shall also impose administrative fine ranging from One hundred thousand pesos (P100,000.00) to Three hundred thousand pesos (P300,000.00); and confiscation and forfeiture of the resources subject of the offense, equipment, gears and vessels.
- (c) Where the offender takes, removes, fishes, gathers, kills, destroys or possesses corals, except for scientific or research purposes authorized by the TPAMB, the penalty shall be imprisonment ranging from six (6) years and one (1) day to twelve (12) years; fine ranging from One hundred thousand pesos (P100,000.00) to Two hundred fifty thousand pesos (P250,000.00). The TPAMB shall also impose administrative fine ranging from One hundred thousand pesos (P100,000.00) to Two hundred fifty thousand pesos (P250,000.00); and confiscation and forfeiture of the corals subject of the offense, equipment, gears and vessels.
- (d) Where the offender uses any fishing gear or method that destroys coral reefs, seagrass beds or other marine life habitats as may be determined by this Act, the TPAMB, other laws, the Department of Agriculture, or the DENR, the operator, boat captain, master fisherman, and recruiter or organizer of fishworkers involved shall suffer a penalty of six (6) years and one (1) day to twelve (12) years imprisonment; fine of not less than One hundred thousand pesos (P100,000.00) to Five hundred thousand pesos (P500,000.00); forfeiture of catch, fishing equipment, gears and vessels. The TPAMB shall also impose administrative fine ranging from Four hundred thousand pesos (P400,000.00) to One million pesos (P1,000,000.00); and confiscation and forfeiture of catch, fishing equipment, gears and vessels.

Muro-ami, pa-aling, all kinds of trawls (galadgad, Norway), purse seine (pangulong), Danish seine (hulbot-hulbot, pahulbot-hulbot, likisan, liba-liba, palisot, patangko, bira-bira, buli-buti, hulahoop, zipper, lampornas, etc.), ring net (kubkob, pangulong, kalansisi), drive-in net (kayakas), round haul seine (sapyaw, lawag), motorized push net (sudsod), bagnet (basnig, saklit), or any of their variations, are hereby declared destructive fishing methods or gears under this provision.





- (e) Where the offender gathers or removes pebbles, stones, rocks, sand or other materials or otherwise engages in the quarrying or dredging of any portion of the TRNP, the penalty shall be six (6) years and one (1) day to twelve (12) years imprisonment; fine of not less than One hundred thousand pesos (P100,000.00) to Two hundred fifty thousand pesos (P250,000.00). The TPAMB shall also impose administrative fines ranging from One hundred thousand pesos (P100,000.00) to Seven hundred fifty thousand pesos (P750,000.00); and confiscation and forfeiture of the substance taken, and equipment and vessels used in the commission of the violation.
- (f) Where the subject of the offense are protected species as denned in this Act, the penalty shall be imprisonment of twelve (12) years to twenty (20) years; fine of Five hundred thousand pesos (P500,000.00) to One million pesos (P1,000,000.00) for every threatened or endangered organism subject of the offense; forfeiture of the catch, equipment, gears and vessels; and cancellation of fishing permit. The TPAMB shall also impose administrative fine ranging from Five hundred thousand pesos (P500,000.00) to One million pesos (P1,000,000.00) for every threatened or endangered organism subject of the offense; and confiscation and forfeiture of catch, equipment, gears and vessels.
- (g) Where the violations of this section are not covered by the preceding paragraphs, the penalty shall be imprisonment of three (3) years to six (6) years; fine of not less than One hundred thousand pesos (P100,000.00) but not more than Three hundred thousand pesos (P300,000.00); and forfeiture of the catch, equipment, gears and vessels; and cancellation of permit that makes it possible for the offender to commit the offense. The TPAMB shall also impose administrative fine ranging from Three hundred thousand pesos (P300,000.00) to One million pesos (P1,000,000.00); and confiscation and forfeiture of catch, equipment, gears and vessels.

**Section 27. Poaching by Foreigners.** It shall be unlawful for any foreign person, foreign corporation or foreign entity to fish, gather and/or purchase or possess any fishery products within the TRNP. It shall likewise be unlawful for any person, corporation or entity to operate any foreign fishing vessel within the TRNP. The entry of any foreign fishing vessel in the TRNP shall constitute prima facie evidence that the vessel is engaged in fishing in the area. The presence of any foreign national in a fishing vessel of either Philippine or foreign registry in the TRNP shall be conclusive evidence that the vessel is foreign.

Violation of the above shall be punished by imprisonment of six (6) years and one (1) day to twelve (12) years and a fine of One hundred thousand U.S. dollars (US\$100,000.00), in addition to the forfeiture of its catch, fishing equipment and fishing vessel: Provided, That in case of non-payment of fine, subsidiary imprisonment shall be imposed: Provided, farther, That the TPAMB is empowered to impose an administrative fine of not less than Fifty thousand U.S. dollars (US\$50,000.00), but not more than Two hundred thousand U.S. dollar (US\$200,000.00) or its equivalent in Philippine currency, in addition to the confiscation and forfeiture of the fish catch, fishing equipment and fishing vessel: Provided, finally, That a bond may be posted for the vessels which shall not be less than One hundred thousand U.S. dollars (US\$100,000.00). A Hold Departure Order shall be issued as a condition for the grant of bail to any foreign offender. All passports and documents which may be used by the accused to flee the country must be surrendered to the court.



**Section 28. Violation of Environmental Impact Assessment System.** The TPAMB shall prosecute violations of laws and rules on Environmental Impact Assessment System. Such violations shall be punished by imprisonment of three (3) years to five (5) years; fine of One hundred thousand pesos (P100,000.00) for every day each violation subsists; rehabilitation of the affected area or the amount equivalent thereto; and forfeiture of the vessels, structures, effects, materials and equipment used, and the products of such violation. If the offender is a corporation, the directors and officers shall suffer the imprisonment. The TPAMB shall also impose administrative fine of One hundred thousand pesos (P100,000.00) for every day each violation subsists; rehabilitation of the affected area or the amount equivalent thereto; and confiscation and forfeiture of the vessels, structures, effects, materials and equipment used and the products of such violation.

**Section 29. Violation of Standards.** The owner, operator and top three (3) officers of any vessel violating the standards set by the TPAMB such as, but not limited to, safety and sanitation standards shall suffer administrative penalty of a fine ranging from Twenty thousand pesos (P20,000.00) to Fifty thousand pesos (P50,000.00) for every day each violation subsists, and from suspension of three (3) months to cancellation of permit to operate in the TRNP.

**Section 30. Obstruction to Law Enforcement Officer.** The boat owner, master, operator, officer, or any person acting on his/her behalf, of any vessel who evades, obstructs, or hinders any law enforcement officer in the TRNP to perform his/her duty, shall be administratively fined Fifty thousand pesos (P50,000.00). In addition, the registration, permit and/or license of the vessel including the license of the officers thereof shall be cancelled.

**Rule 30.1.** The TMO may recommend that the concerned permit-granting agencies cancel the registration, permit, and/or license of the vessel, including the license of the officers.

**Section 31. Common Penal Provision.**

- (a) In case the vessel used in violation is owned by a corporation or entity, the fine shall be twice the maximum amount imposed for the offense.
- (b) In case the vessel used in violation of this Act is foreign owned, the fine shall be thrice the maximum amount imposed for the offense committed without prejudice to the provision of Section 27 hereof.
- (c) The captain of the vessel shall suffer the maximum duration of the imprisonment for the offense committed.

**Section 32. Subsidiary Imprisonment.** Non-payment of fines imposed under this Act shall be subject to subsidiary imprisonment as provided for by existing laws.

**Section 33. Fines and Forfeitures.** All administrative fines and forfeitures that may be imposed by the TPAMB under this Act, and the rules and regulations that may be promulgated in pursuit of the goals and objectives of this Act shall form part of the funds and assets of the TRNP.

In case of administrative confiscation or forfeiture of vessels, structures, effects, materials and equipment and the same is not necessary for the proper prosecution of the offense charged, the TPAMB may sell the forfeited vessels, structures, effects, materials and equipment in a public auction. Proceeds of the said sale shall accrue to the TRNP created under this Act. In case the confiscated vessels, structures, effects, materials and equipment are in custodia legis, the



TPAMB or its counsel, after proper proceedings may move for the sale of the confiscated or forfeited vessels, structures, effects, materials and equipment pendente lite: Provided, That the said vessels, structures, effects, materials and equipment is no longer necessary for the proper prosecution of the offense or if the same is necessary but substitute evidence is accepted by the court. The proceeds of the said sale shall likewise accrue to the TRNP Trust Fund created under this Act.

**Section 34. Violation of Other Laws.** Prosecution for violation of this Act shall be without prejudice to the prosecution of the offender for violation of other laws, rules and regulations.

**Section 35. Enforcement of this Act, Other Laws, Rules and Regulations Within the TRNP.**

The Armed Forces of the Philippines through the Philippine Navy, the Philippine National Police, the Philippine Coast Guard, the law enforcement officers of the DENR and the DA-BFAR, PCSD officials and staff, local government unit (LGU) officials, law enforcement officers of LGUs, members and officers of the TPAMB, the PASu and his/her staff, and other deputized environment and natural resource officers, are hereby authorized and shall cooperate in the enforcement of this Act, other laws, rules and regulations within the TRNP.

Any one of the above persons and entities is authorized to file administrative cases before the proper agencies and bodies, or initiate criminal proceedings in accordance with the Rules of Court, for offenses committed within the TRNP.

**Section 36. Special Prosecutors and Counsels.** The Department of Justice, upon recommendation of the TPAMB, shall designate special prosecutors from among the state and public prosecutors to do preliminary investigation and prosecute violations of this Act, other laws, rules and regulations within the TRNP. Such special prosecutors shall coordinate with the TPAMB and the TMO in the performance of his/her duties and assist in the training of wardens and rangers in arrest and criminal procedure. The TPAMB shall periodically submit an evaluation of the performance of the designated special prosecutors to the Department of Justice (DOJ).

The TPAMB may retain the services of a competent lawyer to prosecute and/or assist in the prosecution of cases under the direct control and supervision of the regular or special prosecutor and to defend the members of the TPAMB, the PASu and the TMO staff, or person assisting in the protection, conservation and sustainable development of the TRNP, against any legal action related to their powers, functions and responsibilities as provided in this Act or as delegated or tasked by the TPAMB.

**Section 37. Citizen's Suits.** For the purposes of enforcing the provisions of this Act or its implementing rules and regulations, any citizen may file an appropriate civil, criminal or administrative action in the proper courts/bodies against:

- (a) Any person who violates or fails to comply with the provisions of this Act its implementing rules and regulations; or
- (b) Those mandated to implement and enforce the provisions of this Act with respect to orders, rules and regulations issued inconsistent with this Act; and/or
- (c) Any public officer who willfully or grossly neglects the performance of an act specifically enjoined as a duty by this Act or its implementing rules and regulations; or abuses his authority in the performance of his duty; or, in any manner improperly performs his duties under this Act or its implementing rules and regulations: Provided, however, That, no suit can be filed until after a thirty (30)-



day notice has been given to the public officer and the alleged violator concerned and no appropriate action has been taken thereon. The court shall exempt such action from the payment of filing fees, upon prima facie showing of the non-enforcement or violations complained of and exempt the plaintiff from the filing of an injunction bond for the issuance of preliminary injunction.

In the event that the citizen should prevail, the court shall award reasonable attorney's fees, moral damages and litigation costs as appropriate.

**Section 38. Suits and Strategic Legal Action Against Public Participation (SLAPP) and the Enforcement of this Act.** Where a suit is brought against a person who filed an action as provided in Section 37 of this Act, or against any person, institution or government agency that implements this Act, it shall be the duty of the investigating prosecutor or the court, as the case may be, to immediately make a determination not exceeding thirty (30) days whether said legal action has been filed to harass, vex, exert undue pressure or stifle such legal recourses of the person complaining of or enforcing the provisions of this Act. Upon determination thereof, evidence warranting the same, the investigating prosecutor or the court, as the case may be, shall dismiss the complaint. In addition, the court shall award the attorney's fees and double the amount of damages.

This provision shall also apply and benefit public officers who are sued for acts committed in their official capacity, there being no grave abuse of authority, and done in the course of enforcing this Act.

**Section 39. Convening the TPAMB.** Within one (1) month upon the effectivity of this Act, the interim TPAMB shall convene to ensure that its composition and structure conform to the provisions of this Act.

**Section 40. Continuation of the TMO.** The present TMO shall continue to exist and function as such, subject to reorganization, if necessary, in accordance with Section 14 hereof.

**Section 41. Continuation of all Other Arrangements.** Except when otherwise provided by this Act, all arrangements, commitments and agreements pertaining to the management, utilization, conservation and protection of the TRNP made and entered into by government agencies, the present TPAMB and the TMO, and the active involvement of the Philippine Navy and the Philippine Coast Guard in law enforcement in the TRNP, shall continue to subsist until validly amended, revised, repealed or renewed.

**Section 42. Implementing Rules and Regulations.** Within six (6) months upon the effectivity of this Act, the TPAMB shall prepare the implementing rules and regulations of this Act.

**Section 43. Appropriations.** The DENR and the PCSD shall immediately include in the Department's and Council's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

**Section 44. 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 Republic Act No. 7611, otherwise known as the "Strategic Environmental Plan (SEP) for Palawan Act"; Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System (NIPAS) Act of 1992"; Republic Act No. 8550, otherwise known as The Philippine Fisheries Code of 1998"; Republic Act No. 9147, otherwise known as the "Wildlife Resources Conservation and Protection Act"; and existing



forestry laws, and their corresponding rules and regulations not inconsistent hereto shall have suppletory effect in the implementation of this Act.

**Section 45. Separability Clause.** If any part or section of this Act is declared unconstitutional or otherwise invalid, such declaration shall not affect the other parts or sections hereof.

**Section 46. Repealing Clause.** All laws, presidential decrees, executive orders, rules and regulations inconsistent with this Act shall be deemed repealed or modified accordingly.

**Section 47. Effectivity.** This Act shall take effect immediately after its complete publication in two (2) newspapers of general circulation.

**Rule 47.1. Effectivity.** This Administrative Order shall take effect fifteen (15) days after its complete publication in the Office of the National Administrative Register, UP Law Center, Diliman, Quezon City.

**RESOLVED FINALLY**, that a copy of this Resolution shall be provided to all tourism operators in TRNP and all relevant agencies/organizations and regulatory bodies.

**ADOPTED AND APPROVED** this 30<sup>th</sup> day of May 2024 at Puerto Princesa City.

I hereby certify that the above-quoted Resolution has been duly approved and adopted by the TPAMB on 30<sup>th</sup> day of May 2024 at Puerto Princesa City.

Prepared by:

  
**ANGELIQUE M. SONGCO**  
Secretary

Attested by:

  
**KATHERINE P. CUSTODIO**  
Presiding Officer

