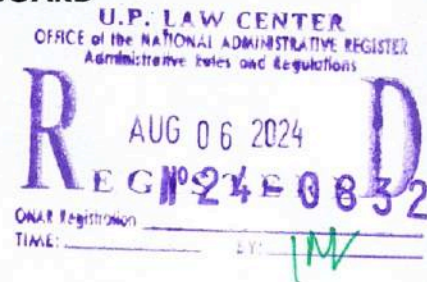


Republic of the Philippines
TUBBATAHA PROTECTED AREA MANAGEMENT BOARD
Puerto Princesa City

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. 24-06
"APPROVING THE TRNP TOURISM RULES AND REGULATIONS"

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;

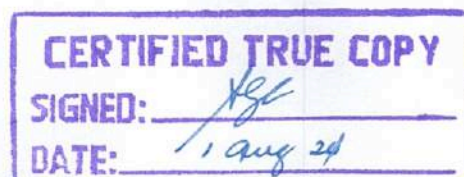
WHEREAS, the Tubbataha Protected Area Management Board (TPAMB) was established pursuant to Section 10 of R.A. 10067 to be the sole policy-making and permit-granting body for the Tubbataha;

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 articulated the TRNP tourism rules and regulations, primarily in Chapter 3, and in the other sections of the IRR;

WHEREAS, to simplify access to tourism rules and regulations, all tourism-related matters in the IRR were consolidated into one document, the TRNP Tourism Rule and Regulations, for easy reference by its users;

NOW THEREFORE, for and in consideration of the above premises, the TPAMB approves, as it is hereby approved, the TRNP Tourism Rule and Regulations.



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 s 2012 issued through Executive Committee Resolution 12-026 dated 16 January 2012 as amended by TPAMB Resolution 17-04 dated 28 February 2017, which contain TRNP tourism rules and regulations, is hereby revised.

SUBJECT: TRNP TOURISM RULES AND REGULATIONS

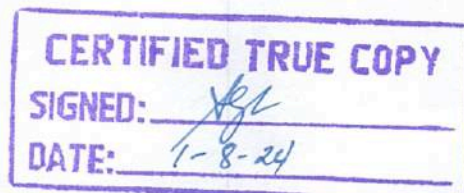
Section 1. Title. *These Rules and Regulations shall be known as the "TRNP Tourism Rules and Regulations of 2024".*

Section 2. Declaration of policy. *It shall be the policy of the TPAMB to protect and conserve the globally significant economic, biological, and socio-cultural values of the Tubbataha Reefs Natural Park into perpetuity for the enjoyment of present and future generations. This shall be pursued by prohibiting all extractive and destructive activities within the park. Participatory and collaborative management shall be pursued and public awareness and concern for TRNP heightened through education and information activities.*

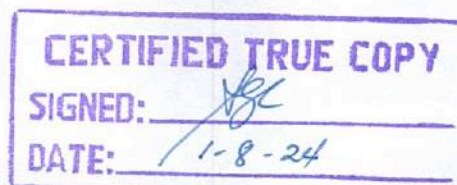
Section 3. Scope. *These Rules and Regulations shall apply to all persons, either natural or juridical, entering the Tubbataha Reefs Natural Park to engage in tourism activities.*

Section 4. Definition of Terms

- a) "Boat Manager" shall refer to a person who is in charge of overseeing the operations of a vessel while inside the Park;
- b) "Conservation Fees" refer to fees collected from authorized users of the TRNP;
- c) "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*;
- d) "Dive Operator/Owner" shall refer to a person, either natural or juridical, who charts, owns, or rents out a vessel and conducts tourism or other activities within TRNP;
- e) "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 a fee;
- f) "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;



- g) "Diving incidents" refers to any events during a diving operation that lead to unintended or unsafe conditions that could potentially harm divers and/or disrupt normal diving operations, e.g., decompression illness and medical emergencies;
- h) "Entrants" shall refer to any person, either natural or juridical, or vessel entering TRNP, with or without a permit, further classified as follows:
 - a. "Visitors" shall refer to any person entering TRNP primarily for the purpose of tourism, research, or other activities allowed by the TPAMB;
 - b. "Crew" shall refer to all employees of the boat who man the vessel;
 - c. "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.
- i) "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;
- j) "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;
- k) "Holding Tank" refers to a sealed container on board a vessel for temporarily storing sewage/toilet waste matter for treatment or discharge;
- l) "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;
- m) "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;
- n) "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;
- o) "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;
- p) "Reprimand" shall refer to a formal written warning issued by the PASu as a disciplinary action to address misconduct and/or violations of rules;
- q) "Repeat Offender" shall refer to a person, either natural or juridical, who has previously violated this Rule or has a pending case with, or has been finally sanctioned, adjudicated, or penalized by the TPAMB, TMO, or by a court of law for any violation involving this Rule, TRNP Act or other pertinent laws, committed within TRNP;
- r) "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;
- s) "Superlights" 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 energy source comes from a generator, battery, or dynamo coupled with the main engine of the watercraft;
- t) "Vandalism" refers to deliberate destruction or damage to marine life and park properties;
- u) "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 5. Permitting. Tourism activities may be allowed only upon the issuance by the TMO of the following:

- a. Permit to Operate
- b. Vessel Entry Permit
- c. Commercial Filming/Photography Permit
- d. Drone Permit

Section 5.1 Permit to Operate. Any person or entity who shall conduct commercial tour operations in TRNP should secure a Permit to Operate (PTO) from the TMO at least two (2) months prior to the first scheduled entry.

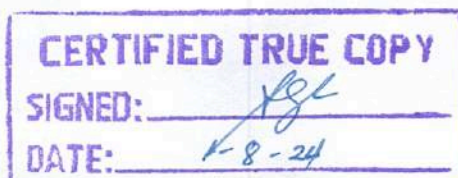
Section 5.1.1 Requirements. The following shall be submitted to TMO for the issuance of a PTO:

- a. Completed Application Form
- b. Company Documents
 - i. SEC Registration Certificate and updated General Information Sheet
 - ii. Updated Business Permit
- c. Vessel Documents
 - i. Certificate of Recreational Boat Certificate or Certificate of Philippine Registry or Certificate of Ownership
 - ii. Passenger Ship Safety Certificate, if applicable
 - iii. Minimum Safe Manning Certificate, if applicable
 - iv. Valid Philippine Commission on Sports Scuba Diving Accreditation Certificate
 - v. Ship Station License
 - vi. Trip schedule

Section 5.1.2 Procedure.

- a. Submit a completed application form together with a copy of all requirements listed in Section 5.1.1 to the TMO in Puerto Princesa or online at tmo@tubbatahareefs.org/tubbataha88@gmail.com;
- b. Only applications with complete requirements shall be received. Applications with complete documentary requirements shall be processed within seven (7) working days;
- c. The TMO may issue the permit to the applicant in person or to the email address provided in the PTO.

Section 5.1.3 Validity. The Permit to Operate shall be valid for one year.



Section 5.2. Vessel Entry Permit. Any person or entity entering TRNP for the conduct of commercial or non-commercial tourism operations shall secure a Vessel Entry Permit from the TMO prior to such entry subject to the compliance of the requirements set in Section 4.2.1 herein.

Section 5.2.1 Requirements for Issuance of Vessel Entry Permit

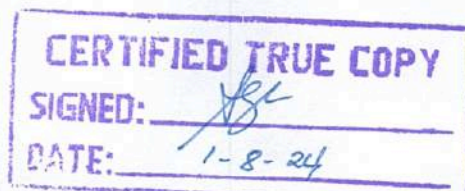
- a. Vessels of Local Registry:
 - i. Fully accomplished Vessel Entry Form
 - ii. Certificate of Recreational Boat Certificate or Certificate of Philippine Registry or Certificate of Ownership
 - iii. Passenger Ship Safety Certificate, if applicable
 - iv. Minimum Safe Manning Certificate, if applicable
 - v. Updated list of crew and dive professionals, signed by boat captain
 - a) Photocopy of valid diving certification of all dive professionals
 - b) Special Working Permit (SWP) or Alien Employment Card (AEC) for foreign crew and dive professionals employed and/or assisting in boat operations or those in Tubbataha not primarily for recreational diving
 - vi. Proof of payment of Conservation Fees, which includes vessel, visitor, and dive professional entry fees.
- b. Vessels of Foreign Registry shall submit all requirements under Section 5.2.1 (a), including:
 - i. Boat Registration
 - ii. Last Port Clearance, if from a foreign country
 - iii. Record of Vessel Boarded /Custom Clearance issued by Bureau of Customs

Section 5.2.2. Procedure.

- a. Submit a completed application form together with a copy of all requirements listed in Section 5.2.1 to the TMO in Puerto Princesa or online at tmo@tubbatahareefs.org/tubbataha88@gmail.com;
- b. Pay the Conservation Fees for vessel, visitor, and dive professional through bank deposit or transfer to the TRNP Trust Fund;
- c. Individuals or entities planning to extend their stay beyond seven days must obtain the required Vessel Entry Permit for the extended duration beyond the validity of the initial Vessel Entry Permit and pay the corresponding fees.
- d. Only applications with complete requirements shall be received. Applications with complete documentary requirements shall be processed within seven (7) working days;
- e. The TMO may issue the permit to the applicant in person or to the email address provided in the application form.

Section 5.2.3. Validity of Vessel Entry Permits. The Vessel Entry Permit shall be valid for seven (7) days.

Section 5.3. Commercial Filming/Photography Permit. All commercial filming and photography shall be covered by a Filming/Photography Permit; Provided, that no commercial filming/photography may restrict or interfere with operations in the Park.



Section 5.3.1. Requirements. Applicants must submit the following to TMO:

- a. Letter of intent to the TMO;
- b. Accomplished TMO Filming/Photography Permit application form.

Section 5.3.2. Procedure.

- a. Submit a Letter of Intent, in person or via e-mail addressed to the TMO;
- b. TMO shall process the application within seven working days;
- c. If approved, a Filming/Photography Permit shall be issued to the applicant.

Section 5.3.3 Validity. The Commercial Filming/Photography Permit shall be valid for the period stated in the permit.

Section 5.4. Drone Permit. The use of any unmanned aerial or underwater vehicle shall be covered by a permit to be issued by the TMO.

Section 5.4.1. Requirements. Applicants must submit a completed Drone Permit Application Form at least two working days before entry to TRNP, provided that pilots of drones above 7kgs and/or those to be used for commercial/business purposes require a Remote Piloted Aircraft (RPA) Controller Certificate.

Section 5.4.2. Procedure.

- a. Submit a Drone Permit Application Form in person or via e-mail addressed to the TMO;
- b. TMO shall process the application within seven working days;
- c. If approved, a Drone Permit shall be issued to the applicant.

Section 5.4.3 Validity. The Drone Permit shall be valid for the period stated in the permit.

Section 6. Conservation Fees. Conservation Fees shall consist of vessel, visitor, and dive professional entry fees and must be paid prior to each entry.

Section 6.1. Vessel Entry Fee. The Conservation Fee for vessels are as follows:

- | | |
|-----------------------------|------------|
| a. 100 gross tons and below | P5,500.00 |
| b. 101-200 gross tons | P8,250.00 |
| c. 201 gross tons and above | P11,000.00 |

Section 6.2. Visitor Entry Fee. The Conservation Fee for visitors is as follows:

- | | |
|-----------------------|------------------|
| a. Visitors | P5,000.00/person |
| b. Dive professionals | P 500.00/person |

Section 6.3. Exemption from the Payment of Conservation Fees. Boat crew, boat owners, boat managers, and minors aged 12 years old and below are exempt from the payment of Conservation Fees. The names of boat owners and minors shall be indicated in the Vessel Entry Permit.

Section 7. Refundability. If a trip is canceled before entering the park, the conservation fees may be reimbursed. However, only 80% of the fees may be refunded, except in cases of force majeure, when conservation fees may be refunded in full through the issuance of a credit memorandum by the TMO to the payee.

To be eligible for a complete refund, an official travel advisory or certification issued by authorized agencies such as the Philippine Coast Guard or the Philippine Atmospheric,

Geophysical, and Astronomical Services Administration (PAGASA) must be submitted to TMO to support the cancellation of the trip.

Section 8. Protocols and Standards. The following shall be observed while inside the Park:

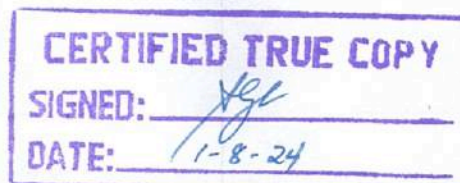
- a. Vessels used for commercial tourism operations shall be at least 25 gross tons;
- b. There shall always be a dive professional who acts as a group leader during all dives. The diver-dive professional ratio shall be 8:1 at the most;
- c. Upon entry into the park, the captain or boat manager or his/her representative must register with the ranger station through radio;
- d. All vessels shall tie to the designated moorings as indicated in the TRNP Dive Map hereto attached as Annex A, which is an integral part of these rules. Users shall check all lines and accessories before use;
- e. Service boats used to transport divers, park personnel, and guests may tie to moored vessels during the course of their operations;
- f. Vessels 200 gross tons and above shall tie to designated moorings at their own risk and are required to untie during rough weather;
- g. The following shall constitute negligence by the user of moorings:
 - i. Running over or dragging rope and marker buoy; and
 - ii. Other acts resulting in damage to moorings and/or their accessories.
- h. All vessels must have trained first aid personnel with valid certification;
- i. All vessels entering TRNP for tourism must have a holding tank. Disposal from the holding tank shall follow PCG Memorandum Circular 10-14 (Prevention of Pollution from Sewage);
- j. All dive operators shall have a sufficient number of service boats to transport guests to and from the dive sites;
- k. All vessels entering TRNP must have a functional Automatic Identification System (AIS) transponder/transceiver and shall be kept open at all times;
- l. Drones shall not be flown over the South and Bird Islets, the cay in Jessie Beazley Reef, and in all sandbars (except in Ranger Station sandbar);
- m. Marine park rangers and TMO representatives may board and inspect vessels prior to entry and within TRNP at any time without prior notice;
- n. A distance of two (2) meters shall be maintained while interacting with marine wildlife;
- o. All incidents that occur during operations in TRNP should be reported to TMO promptly.

Section 9. Liability. Dive operators/owners, boat managers, and the top three (3) officers of the vessel shall be held solidarily liable for violations of the rules set herein committed by visitors and crew.

The TPAMB and the TMO are not responsible for any accidents, losses, or damage that may result from tourism activities in TRNP.

Section 10. Prohibited Acts. The following acts are not allowed in TRNP:

- a. Tying to a moored vessel, except for service boats;
- b. Possession of any fishing gear while in TRNP. The presence of fishing gear, whether in its assembled form or separated into parts, shall be considered prima facie evidence of fishing within TRNP.



- c. Use of motorized sports equipment aside from service boats used to ferry passengers;
- d. Cruising around Bird or South Islets without obtaining clearance from marine park rangers and navigating less than 100 meters from the islets;
- e. Landing a boat or setting foot on the Bird Islet, South Islet, the cay in Jessie Beazley, and in all sandbars (except the ranger station sandbar), without authority from the PASu;
- f. Swimming, snorkeling, or diving around Bird or South Islets or in the lagoons, except when authorized by the PASu;
- g. Use of gloves while diving, except for medical reasons and supported by a medical certificate;
- h. Operating unmanned aerial vehicles (drones) without a permit from TMO;
- i. Use of implements that modify the behavior of marine animals or that harm corals as may be determined by the TMO;
- j. Vandalism in any form;
- k. Decompression dives without prior certification, training, and equipment;
- l. Handling, touching, feeding, chasing, or blocking the path of wildlife;
- m. Use of superlights;
- n. Use of single-use plastic products, e.g., mineral water bottles, plastic cutlery, straws, stirrers, Styrofoam cups and plates, and other similar items;
- o. Traversing the no-wake zones at a speed that creates a wake;
- p. Scuba diving by uncertified divers;
- q. Use of cameras and/or videos by diving professionals while performing their duties as dive guides/leaders.

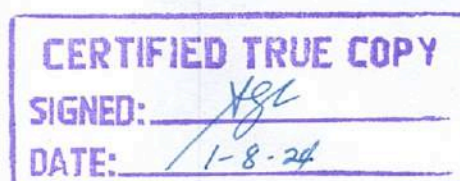
Section 11. Penalties for the Violation of Sections 8 and 10. The boat operators/owners and/or managers and top three (3) officers of any vessel violating this rule shall suffer the administrative penalty of a fine ranging from Twenty Thousand Pesos (PhP20,000.00) to Fifty Thousand Pesos (PhP50,000.00) for every day each violation subsists, or from a suspension of three (3) months to cancellation of permit to operate in the TRNP pursuant to Section 29 of R.A. 10067.

- a. For violation of Section 10 (n) Use of single-use plastic products, e.g., mineral water bottles, plastic cutlery, straws, stirrers, Styrofoam cups and plates, and other similar items, are banned from TRNP:

First Offense	- Warning/Citation
Second Offense	- A fine of Ten Thousand Pesos (PhP10,000.00)
Third Offense	- A fine of thirty Thousand Pesos (PhP30,000.00)
Fourth Offense	- Ban from entering TRNP for one (1) year during the immediately following season.

- b. For violation of Section 10 (o) Traversing the no-wake zones of TRNP at a speed that creates a wake;

First Offense	- Warning/Citation
Second Offense	- A fine of Ten Thousand Pesos (PhP10,000.00)
Third Offense	- A fine of thirty Thousand Pesos (PhP30,000.00)



Fourth Offense - Ban from entering TRNP for two (2) years during the immediately following season

c. For violation of Section 10 (p) Scuba diving by uncertified divers;

Classification of Offense	Particulars	Penalty
Light offense	Violation of Section 10 (p) that did not cause any damage or harm to anyone or the reefs as may be determined by the TMO marine park rangers	P5,000.00
Medium offense	Violation of Section 10 (p) that caused damage or harm as may be determined by the TMO marine park rangers	P10,000.00
Grave offense	Violation of Section 9 (p) that caused irreplaceable damage to people or the reefs as may be determined by the TMO marine park rangers	P30,000.00

First Offense - Imposition of penalty as provided
Second Offense - A fine of twice the penalty
Third Offense - Ban from entering TRNP for two (2) years effective immediately

Section 12. Mitigating Circumstances - In determining imposable fines within a given range, the minimum fine shall be imposed as may be applicable under the following circumstances:

- No prior violation of park rules and regulations;
- Admission of offense;
- Assisted and supported the filing and resolution of administrative cases before the Tubbataha Adjudication Board (TAB), resulting to the imposition of penalty to the violator;
- Waived proceedings before the TAB.

Section 13. Aggravating Circumstances. In determining imposable fines within a given range, the maximum fine shall be imposed if the violator/s:

- Is a repeat offender, as herein defined;
- Attempts to flee apprehension;
- Possesses unlicensed firearms;
- Uses force or intimidation against TRNP enforcement officers.

Section 14. Solidary Liability. Dive operators/owners, boat managers, and the top three (3) officers of the vessel shall all be solidary liable for the payment of fines.

Section 15. Additional Penalties. The following additional penalties may be imposed as deemed appropriate:

- Reprimand;
- Cancellation of permit to operate for commercial tourism operators;
- Prohibition from operating within TRNP for one (1) year from the date of the imposition of the penalty for repeated violations;

- d. Non-renewal of permit to commercial tourism operators with a record of violations in other marine parks/reserves, upon the endorsement of DENR or a resolution from marine park's/reserve's management board; and/or
- e. Banning of individuals and operators from entering TRNP for acts such as repeated violations, acts affecting endangered species, and/or willful disregard of TPAMB notices or orders;
- f. Non-issuance of a permit to enter TRNP to persons or companies;

Section 16. Separability Clause. *If, for any reason, any part or provision of this Rule is declared unconstitutional, other parts or provisions thereof are not affected and shall thereby continue to be in full force and effect.*

Section 17. Repealing Clause. *All orders, rules, and regulations or parts that are inconsistent with this order are hereby deemed repealed, amended, or modified accordingly.*

Section 18. Effectivity. *This 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.

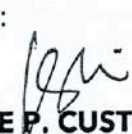
ADOPTED AND APPROVED this 30th day of May 2024 at Puerto Princesa City.

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

Prepared by:


ANGELIQUE M. SONGCO
Secretary

Attested by:


KATHERINE P. CUSTODIO
Presiding Officer

