

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

**SEVENTEENTH CONGRESS**  
First Regular Session

**HOUSE BILL NO. 2986**

HOUSE OF REPRESENTATIVES

**RECEIVED**

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Introduced by **Representative EVELYN P. MELLANA**

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### **EXPLANATORY NOTE**

The Agusan Marsh is a vast complex of freshwater marshes and watercourses with numerous small shallow lakes and ponds and is home to hundreds of species of flora and fauna, some of which are endemic and some of which are included in the International Union for the Conservation of Nature (IUCN) Red List of threatened, endangered and critically endangered species. It also boasts of peat swamps, sago forests, and the very large areas of swamp forests in the Marsh are not found anywhere else in the country. Moreover, the Marsh is recognized as a crucial link in the migratory routing of birds between Siberia and Australia. The biodiversity and natural beauty and uniqueness of the Marsh compel its preservation and conservation and at the same time, give it a high potential for recreational and eco-educational activities.

The Agusan Marsh is also home to a significant population of Indigenous Peoples, majority of whom are Manobos, who make a living on the resources of the Marsh. It serves as a flood retention basin that cuts peak discharge of flash floods to downstream areas. It also acts as a natural sediment catch basin during flood season.

Recognizing its ecological significance, the Agusan Marsh was declared in 1996 by virtue of Presidential Proclamation No. 913 as a protected area under the National Integrated Protected Areas System and is among integrated priority conservation areas in Mindanao, recognized under the Philippine Biodiversity Conservation Priority-Setting Program (PBCPP). Found to be of international significance, the Agusan Marsh was recognized as a "Wetland of International Importance" in 1999 under the Ramsar Convention on Wetlands, as the most important freshwater wetland in the country.

However, these vital and unique qualities of the Marsh are being threatened by the encroachment of human activities into the Marsh, such as mining, agri-chemical run-off, domestic waste and population increase. Moreover, the core protected area of approximately 14,836 hectares declared under Presidential Proclamation No. 913 does not cover the actual extent of the wetland; thus, this bill expands the protected area to approximately 40,724.85 hectares.

Taking into account the ecological, hydrological, social and economic significance of the Marsh, it is imperative that we do our utmost to ensure its protection and at the same time, develop its eco-tourism potentials.

The provisions of this bill are the same as the substituted bill prepared by the House Committee on Natural Resources. This version has been approved on third and final reading during the 15<sup>th</sup> Congress as well as the 16<sup>th</sup> Congress.

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

  
**EVELYN P. MELLANA**  
  
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Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
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**SEVENTEENTH CONGRESS**  
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**HOUSE BILL NO. 2986**

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Introduced by **Representative EVELYN P. MELLANA**

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**AN ACT ESTABLISHING THE AGUSAN MARSH SITUATED IN THE MUNICIPALITIES OF TALACOGON, SAN FRANCISCO, ROSARIO, BUNAWAN, LORETO AND LA PAZ IN THE PROVINCE OF AGUSAN DEL SUR AS PROTECTED AREA UNDER THE CATEGORY OF WILDLIFE SANCTUARY PROVIDING FOR ITS MANAGEMENT, AND FOR OTHER PURPOSES**

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

**CHAPTER 1**  
**INTRODUCTORY PROVISIONS**

**Section 1. *Short Title.*** This Act shall be known and cited as the "Agusan Marsh Wildlife Sanctuary (AMWS) Act."

**Section 2. *Declaration of Policy.*** It shall be the policy of the State to ensure the protection and conservation of the Agusan Marsh in order to preserve the biological diversity within it, the uniqueness of its landscape and its sociocultural and economic significance to the people of the Province of Agusan del Sur. Towards this end, the State shall:

- (a) Implement measures to preserve the ecological balance and biodiversity therein;
- (b) Advance, respect, and protect the customs and interests of its legitimate inhabitants;
- and
- (c) Foster partnerships among government and nongovernment organizations.

**Section 3. *Definition of Terms.*** As used in this Act:

- (a) *Ancestral domains/ancestral lands* refer to all areas generally belonging to indigenous cultural communities comprising lands, inland waters and natural resources therein, held under a claim of ownership, occupied or possessed by indigenous cultural communities, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals or corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural and other lands individually

- owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by indigenous cultural communities but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of indigenous cultural communities who are still nomadic and/or shifting cultivators;
- (b) *Biodiversity* refers to the variety and variability among all living organisms and the ecological complex in which they occur;
  - (c) *Conservation* shall refer to preservation and sustainable utilization of wildlife, and/or maintenance, restoration and enhancement of the habitat. It also refers to the optimum use and management of natural resources in order to meet the needs and aspirations of the present and the future;
  - (d) *Indigenous Cultural Communities or Indigenous People (ICCs/IPs)* refer to the Indigenous Cultural Communities/Indigenous People as defined in RA 8371 or the Indigenous Peoples Rights Act of 1997 (IPRA), specifically the Manobo who reside within or are substantially dependent on the protected area;
  - (e) *IRR* refers to the Implementing Rules and Regulations of the NIPAS Act, issued by the DENR under Department Administrative Order (DAO) No. 1992-25 and DAO No. 2008-26, as amended from time to time;
  - (f) *Management Plan* refer to the fundamental plan, strategy and/or scheme which shall guide all activities relating to the Agusan Marsh Wildlife Sanctuary in order to attain the objectives of this Act;
  - (g) *Multiple-Use Zone* refers to an area where settlement, traditional and/or sustainable land use, including agriculture, agro-forestry, extraction activities and other income generating or livelihood activities, may be allowed to the extent prescribed in the Integrated Protected Area/ Protected Area Management Plan;
  - (h) *Nongovernmental organizations (NGOs)* refer to non-stock, non-profit organizations 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;
  - (i) *Wildlife Sanctuary* refers to an area that assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities, or physical features of the environment that may require specific human manipulation for their perpetuation.

## CHAPTER 2 PROTECTED AREA

**Section 4. Establishment of the Agusan Marsh Wildlife Sanctuary.** The Agusan Marsh Wildlife Sanctuary (AMWS), as defined under Section 6, is hereby declared as a protected area under the National Intergrated Protected Areas System (NIPAS) Act. All lands of the public domain comprising the AMWS shall fall under the classification of Wildlife Sanctuary as provided for in the Philippine Constitution.

**Section 5. Application of the NIPAS Act.** This Act shall be implemented in conjunction with and in conformity with the provisions of the NIPAS Act and its Implementing Rules and Regulations (IRR), unless otherwise provided. Save for the provisions which are specifically incorporated herein by reference, the provisions of the NIPAS Act as well as the definitions of terms found therein, insofar as they are applicable, shall apply in a supplementary character to the provisions of this Act.

**Section 6. Scope and Coverage.** The AMWS is located in the Municipalities of Talacogon, San Francisco, Rosario, Bunawan, Loreto, and La Paz, all in the Province of Agusan del Sur, and covers a total area of Forty Thousand Seven Hundred Twenty-four and 85/100 (40,824.85) hectares, more particularly described as follows:

Beginning at a point marked "1" on the Map, being **N 72°56'11"W**, 8,827.51 meters from BLLM 1 of Talacogon, Agusan del Sur (BLLM 1 Lat 8°27'25.087" Long 125°47'1.367"),

Thence	N 24° 57' 19" W	593.82	meters to corner	2
Thence	N 01° 15' 29" E	611.12	meters to corner	3
Thence	N 51° 40' 09" E	346.13	meters to corner	4
Thence	N 44° 42' 32" E	50.11	meters to corner	5
Thence	S 76° 18' 04" E	399.89	meters to corner	6
Thence	S 82° 54' 08" E	880.23	meters to corner	7
Thence	S 23° 00' 56" E	1,467.61	meters to corner	8
Thence	S 22° 46' 11" E	3,099.57	meters to corner	9
Thence	S 81° 31' 51" E	1,922.01	meters to corner	10
Thence	S 24° 16' 55" E	1,481.29	meters to corner	11
Thence	N 63° 32' 46" E	7,486.12	meters to corner	12
Thence	N 07° 42' 20" W	738.94	meters to corner	13
Thence	N 60° 49' 33" E	5,748.40	meters to corner	14
Thence	S 40° 47' 34" E	623.03	meters to corner	15
Thence	S 39° 23' 27" E	311.59	meters to corner	16
Thence	S 03° 37' 35" E	241.73	meters to corner	17
Thence	S 55° 51' 21" E	588.95	meters to corner	18
Thence	S 29° 07' 12" W	677.21	meters to corner	19
Thence	N 74° 22' 04" E	262.68	meters to corner	20
Thence	S 12° 23' 22" E	429.95	meters to corner	21
Thence	S 39° 45' 03" W	307.47	meters to corner	22
Thence	S 62° 23' 00" W	542.42	meters to corner	23
Thence	S 52° 07' 59" E	255.51	meters to corner	24
Thence	S 81° 08' 49" E	383.11	meters to corner	25
Thence	S 24° 34' 06" E	684.30	meters to corner	26
Thence	S 26° 43' 58" W	282.35	meters to corner	27
Thence	S 39° 05' 18" E	402.40	meters to corner	28
Thence	N 47° 32' 20" E	695.75	meters to corner	29
Thence	N 73° 59' 58" E	115.69	meters to corner	30
Thence	N 50° 55' 14" E	226.97	meters to corner	31
Thence	S 07° 02' 01" E	423.43	meters to corner	32
Thence	S 70° 04' 51" E	417.33	meters to corner	33
Thence	N 72° 18' 29" E	164.79	meters to corner	34
Thence	S 25° 36' 26" E	176.33	meters to corner	35
Thence	S 24° 44' 19" W	393.76	meters to corner	36



Thence	S 24° 43' 25" W	502.74	meters to corner	37
Thence	S 08° 44' 23" W	664.64	meters to corner	38
Thence	S 61° 12' 31" E	267.68	meters to corner	39
Thence	N 38° 26' 37" E	230.25	meters to corner	40
Thence	S 34° 30' 56" E	183.03	meters to corner	41
Thence	S 25° 22' 28" W	284.15	meters to corner	42
Thence	N 56° 43' 37" E	228.50	meters to corner	43
Thence	N 86° 50' 49" E	446.92	meters to corner	44
Thence	S 03° 50' 38" E	241.79	meters to corner	45
Thence	S 45° 56' 54" W	513.46	meters to corner	46
Thence	N 88° 56' 58" E	199.64	meters to corner	47
Thence	S 22° 27' 50" W	246.32	meters to corner	48
Thence	N 87° 18' 05" E	170.99	meters to corner	49
Thence	S 40° 54' 24" W	238.75	meters to corner	50
Thence	S 46° 33' 57" E	247.60	meters to corner	51
Thence	S 89° 34' 21" W	116.65	meters to corner	52
Thence	N 55° 27' 52" W	275.75	meters to corner	53
Thence	S 85° 38' 49" W	206.85	meters to corner	54
Thence	N 26° 41' 46" W	154.30	meters to corner	55
Thence	S 36° 30' 18" W	447.37	meters to corner	56
Thence	S 17° 44' 32" W	262.13	meters to corner	57
Thence	N 78° 23' 14" W	195.98	meters to corner	58
Thence	S 42° 23' 57" W	394.10	meters to corner	59
Thence	S 02° 14' 10" E	213.48	meters to corner	60
Thence	S 72° 40' 51" W	206.39	meters to corner	61
Thence	N 27° 37' 47" W	182.87	meters to corner	62
Thence	S 80° 27' 35" W	215.52	meters to corner	63
Thence	N 24° 23' 22" W	203.57	meters to corner	64
Thence	N 44° 11' 19" W	277.14	meters to corner	65
Thence	N 65° 46' 09" W	196.75	meters to corner	66
Thence	S 05° 54' 18" W	299.76	meters to corner	67
Thence	N 87° 57' 40" W	207.17	meters to corner	68
Thence	S 36° 18' 00" E	374.13	meters to corner	69
Thence	N 79° 23' 28" W	433.62	meters to corner	70
Thence	S 33° 46' 57" W	317.51	meters to corner	71
Thence	S 33° 55' 27" E	373.66	meters to corner	72
Thence	S 87° 48' 18" W	219.34	meters to corner	73
Thence	S 39° 21' 14" E	186.15	meters to corner	74
Thence	S 16° 12' 20" W	115.52	meters to corner	75
Thence	S 74° 58' 49" W	136.68	meters to corner	76
Thence	N 48° 36' 26" W	166.00	meters to corner	77
Thence	S 15° 21' 46" E	320.76	meters to corner	78
Thence	S 77° 56' 06" W	377.96	meters to corner	79
Thence	S 20° 33' 52" E	278.37	meters to corner	80
Thence	N 66° 24' 54" W	353.63	meters to corner	81
Thence	S 06° 06' 45" E	346.07	meters to corner	82
Thence	S 66° 06' 17" W	224.66	meters to corner	83
Thence	S 37° 58' 20" E	526.09	meters to corner	84
Thence	N 72° 54' 31" E	408.48	meters to corner	85
Thence	S 11° 38' 03" W	592.02	meters to corner	86
Thence	S 73° 30' 05" E	1,782.78	meters to corner	87
Thence	S 27° 56' 38" E	766.18	meters to corner	88

Thence	S 63° 02' 04" E	3,601.83	meters to corner	89
Thence	S 33° 45' 20" W	1,332.56	meters to corner	90
Thence	S 75° 41' 58" W	1,246.62	meters to corner	91
Thence	S 27° 14' 38" E	1,490.76	meters to corner	92
Thence	S 20° 10' 06" E	8,575.88	meters to corner	93
Thence	S 57° 15' 15" W	5,086.65	meters to corner	94
Thence	S 40° 22' 39" W	2,133.14	meters to corner	95
Thence	S 04° 12' 54" W	1,748.13	meters to corner	96
Thence	S 05° 05' 00" E	1,152.51	meters to corner	97
Thence	S 75° 10' 52" W	836.91	meters to corner	98
Thence	S 28° 21' 46" E	364.76	meters to corner	99
Thence	S 02° 56' 41" E	798.65	meters to corner	100
Thence	S 41° 41' 24" E	4,475.93	meters to corner	101
Thence	S 86° 49' 25" W	2,599.33	meters to corner	102
Thence	S 03° 27' 07" E	1,434.19	meters to corner	103
Thence	S 87° 29' 44" E	2,799.81	meters to corner	104
Thence	S 67° 12' 01" E	570.13	meters to corner	105
Thence	S 63° 13' 10" W	2,096.62	meters to corner	106
Thence	S 83° 02' 17" W	822.54	meters to corner	107
Thence	N 60° 41' 49" W	1,674.03	meters to corner	108
Thence	N 35° 47' 49" E	492.72	meters to corner	109
Thence	N 11° 24' 06" W	607.62	meters to corner	110
Thence	N 79° 07' 10" W	384.61	meters to corner	111
Thence	S 03° 42' 43" W	366.21	meters to corner	112
Thence	S 22° 49' 24" W	880.68	meters to corner	113
Thence	S 18° 14' 33" W	755.78	meters to corner	114
Thence	S 33° 51' 22" W	656.28	meters to corner	115
Thence	S 62° 34' 28" E	402.98	meters to corner	116
Thence	S 13° 38' 08" W	449.42	meters to corner	117
Thence	S 36° 52' 50" W	231.11	meters to corner	118
Thence	S 85° 58' 22" W	2,699.29	meters to corner	119
Thence	N 61° 05' 26" E	711.96	meters to corner	120
Thence	N 33° 27' 04" E	559.82	meters to corner	121
Thence	N 22° 15' 26" W	734.38	meters to corner	122
Thence	N 08° 44' 12" E	1,241.30	meters to corner	123
Thence	N 05° 00' 34" E	1,261.90	meters to corner	124
Thence	N 86° 56' 34" E	379.70	meters to corner	125
Thence	N 01° 32' 51" W	602.42	meters to corner	126
Thence	N 10° 54' 15" E	769.78	meters to corner	127
Thence	N 10° 09' 55" E	432.26	meters to corner	128
Thence	N 16° 07' 32" W	826.91	meters to corner	129
Thence	S 57° 22' 40" W	1,526.21	meters to corner	130
Thence	N 79° 04' 35" W	624.28	meters to corner	131
Thence	S 89° 35' 23" W	294.72	meters to corner	132
Thence	N 17° 54' 07" W	1,305.56	meters to corner	133
Thence	S 89° 47' 38" E	400.42	meters to corner	134
Thence	N 56° 37' 33" W	238.85	meters to corner	135
Thence	N 30° 26' 54" W	716.00	meters to corner	136
Thence	N 03° 02' 12" W	842.07	meters to corner	137
Thence	N 17° 01' 56" E	334.20	meters to corner	138
Thence	N 31° 02' 27" W	1,153.75	meters to corner	139
Thence	N 72° 37' 05" W	952.90	meters to corner	140

Thence	N 00° 49' 50" E	3,821.56	meters to corner	141
Thence	N 77° 30' 01" W	489.90	meters to corner	142
Thence	N 34° 36' 00" W	1,557.74	meters to corner	143
Thence	N 34° 30' 12" W	966.01	meters to corner	144
Thence	N 00° 27' 00" E	796.99	meters to corner	145
Thence	N 68° 36' 23" E	1,833.01	meters to corner	146
Thence	N 63° 31' 12" E	2,120.72	meters to corner	147
Thence	N 76° 27' 07" E	1,242.26	meters to corner	148
Thence	N 64° 22' 24" E	1,918.00	meters to corner	149
Thence	N 02° 14' 56" W	1,275.69	meters to corner	150
Thence	N 48° 36' 53" W	1,282.25	meters to corner	151
Thence	S 88° 44' 24" W	1,296.80	meters to corner	152
Thence	S 50° 29' 19" W	2,720.45	meters to corner	153
Thence	S 52° 40' 58" W	1,319.43	meters to corner	154
Thence	N 84° 05' 20" W	1,879.28	meters to corner	155
Thence	N 58° 21' 49" W	494.26	meters to corner	156
Thence	N 03° 02' 37" W	2,038.66	meters to corner	157
Thence	N 42° 49' 36" W	3,048.01	meters to corner	158
Thence	N 01° 36' 42" E	625.72	meters to corner	159
Thence	N 03° 37' 09" E	361.82	meters to corner	160
Thence	N 12° 54' 32" W	376.31	meters to corner	161
Thence	N 10° 52' 12" W	450.20	meters to corner	162
Thence	N 47° 47' 34" E	491.24	meters to corner	163
Thence	N 08° 38' 56" E	315.06	meters to corner	164
Thence	N 14° 55' 30" E	245.46	meters to corner	165
Thence	N 11° 39' 28" W	417.53	meters to corner	166
Thence	N 25° 54' 43" W	453.71	meters to corner	167
Thence	N 30° 22' 19" W	425.48	meters to corner	168
Thence	N 10° 53' 24" E	792.26	meters to corner	169
Thence	N 50° 51' 30" W	360.17	meters to corner	170
Thence	N 05° 08' 50" W	492.98	meters to corner	171
Thence	N 15° 10' 07" E	578.00	meters to corner	172
Thence	N 44° 21' 38" E	335.18	meters to corner	173
Thence	S 72° 17' 48" E	711.93	meters to corner	174
Thence	N 72° 50' 29" E	291.27	meters to corner	175
Thence	N 32° 56' 01" W	3,007.37	meters to corner	176
Thence	N 49° 53' 27" W	1,062.80	meters to corner	177
Thence	S 88° 29' 42" W	1,607.25	meters to corner	178
Thence	S 61° 12' 30" W	1,667.17	meters to corner	179
Thence	S 65° 00' 24" W	2,550.35	meters to corner	180
Thence	N 11° 31' 16" E	6,490.25	meters to corner	1

The technical descriptions provided in this Act shall be subject to ground survey and verification to be conducted by the Department of Environment and Natural Resources (DENR) within ninety (90) days after the effectivity of this Act.

**Section 7. Establishment of the Protected Area Management Board for the Agusan Marsh Wildlife Sanctuary (PAMB-AMWS).** The PAMB-AMWS is hereby created. It shall exercise the same powers and functions as provided in Section 11 of the NIPAS Act and Section 18 of the IRR of that Act.



1 Considering the character of AMWS as a catch basin, this section shall not preclude the  
2 PAMB-AMWS from taking appropriate action outside the AMWS to prevent any adverse  
3 effects thereto such as, but not limited to, wastes from industries and run-offs from all areas  
4 that feed into the AMWS.

5  
6 **Section 8. Composition of the PAMB-AMWS.** Membership of the PAMB-AMWS shall  
7 comprise the following:

- 8  
9 (a) DENR Regional Executive Director (RED) of Region XIII – Caraga as Chairman;  
10 (b) Provincial Governor of Agusan del Sur as Co-Chairman;  
11 (c) Provincial Planning and Development Officer of the Provincial Government of  
12 Agusan del Sur;  
13 (d) Mayors of the Municipalities of Talacogon, San Francisco, Rosario, Bunawan,  
14 Loreto, and La Paz;  
15 (e) One (1) representative from each tribal community residing within the AMWS;  
16 (f) Three (3) representatives from non-government organizations/ local community  
17 organizations.

18  
19 The members shall be appointed in the same manner and shall serve for the same term as  
20 provided in Section 11 of the NIPAS Act and Sections 20 and 21 of the IRR of that Act.

21  
22 **Section 9. Protected Area Superintendent (PAS) and other Protected Area**  
23 **Personnel.** There shall be appointed a PASu who shall be the chief operating DENR officer  
24 on site and the chief administrative officer of the AMWS and who shall be directly  
25 responsible to the PAMB-AMWS and the DENR-Caraga RED, in accordance with Section 38 of  
26 the IRR of the NIPAS Act. The PASu shall perform the administrative functions detailed  
27 therein and shall be supported by a sufficient number of personnel who shall be performing  
28 the day-to-day management, protection and administration of the AMWS, in accordance  
29 with Section 40 of the IRR.

30  
31 **Section 10. Management Manual.** There shall be formulated a Management Manual, in  
32 accordance with Section 9 of the NIPAS Act, which shall serve as the basic long-term  
33 framework plan in the management of the AMWS. It shall include, among other, the  
34 Management Plan and the division of the area into various management zones.

### 35 36 CHAPTER 3

#### 37 Funding, Penal, and Miscellaneous Provisions

38  
39 **Section 11. Appropriations.** The Secretary of the DENR shall immediately include in the  
40 Department's program the implementation of this Act, the funding of which shall be included  
41 in the Annual General Appropriations Act.

42  
43 **Section 12. AMWS Fund.** There is hereby established a trust fund to be known as the  
44 Agusan Marsh Wildlife Sanctuary (AMWS) Fund for purposes of financing projects in the  
45 area, which shall be deposited in a Special Account in the National Treasury. The Fund may

1 be financed by donations, endowments, and grants in the form of contributions, and such  
2 endowments shall be exempted from income or gift taxes and all other taxes, charges or  
3 fees imposed by the Government or any political subdivision or instrumentality thereof.

4 All income generated from the operation of the AMWS or management of its wild  
5 flora and fauna shall accrue to the Fund. These incomes shall be derived from  
6 visitors/tourist fees, fees from permitted sale and export of flora and fauna and other  
7 resources from the AMWS, proceeds from registration and lease of multiple-use areas,  
8 including tourism concessions, contributions from industries and facilities directly benefitting  
9 from the AMWS and such other fees and income derived from its operation.

10 Disbursements from the Fund shall be made solely for the protection, maintenance,  
11 administration and management of the AMWS, and duly approved projects endorsed by the  
12 PAMB-AMWS and the AMETO, in accordance with existing accounting and budgeting rules  
13 and regulations, *Provided*, that the Fund shall not be used to cover personal services  
14 expenditures.

15 The local government units (LGUs) shall continue to impose and collect all other fees  
16 not enumerated herein which they have traditionally collected, such as business permits and  
17 rentals of LGUs' facilities. LGUs may also charge reasonable add-ons to fees imposed by  
18 the PAMB-AMWS, provided, that such add-ons shall be determined based on the  
19 contribution of the LGUs in the maintenance and protection of the AMWS.

20  
21 **Section 13. Tax Exemption on Donation.** Any donation or bequest made to the AMWS  
22 Fund shall be exempt from donor's tax and the same shall be considered as allowable  
23 deduction from the gross income of the donor, in accordance with the provisions of the  
24 National Internal Revenue Code of 1997, as amended.

25  
26 **Section 14. Role of Local Government Units.** The LGUs participate in the management  
27 of the AMWS through representation in the PAMB-AMWS. They shall also ensure the  
28 effective implementation of the Management Manual and the provisions of this Act in their  
29 respective jurisdictions. The LGUs shall retain their ordinance-making powers in their  
30 respective jurisdictions in the AMWS but must defer to the Management Manual and the  
31 rules and regulations of the PAMB-AMWS on matters relating to biodiversity conservation,  
32 protection and sustainable development.

33  
34 **Section 15. Role of Local Communities.** The local communities as well as the  
35 indigenous communities to be affected by the development of the AMWS shall actively  
36 participate in the formulation of the Management Manual and the Eco-Tourism Development  
37 Master Plan and shall be accorded preferential treatment with respect to employment  
38 opportunities developed in the AMWS.

39  
40 **Section 16. Indigenous People's Rights.** Ancestral domain and other customary rights  
41 and interests of indigenous communities within the AMWS shall be accorded due recognition  
42 in accordance with Section 13 of the NIPAS Act.

1 **Section 17. *Prohibited Acts and Penalties.*** The provisions of Sections 20 and 21 of the  
2 NIPAS Act with respect to prohibited acts and penalties for their violation in protected areas  
3 shall apply *in toto* with respect to the AMWS.

4 **CHAPTER 5**  
5 **Concluding Provisions**  
6

7 **Section 18. *Repealing Clause.*** All laws, decrees, proclamations, executive orders, rules  
8 and regulations or parts thereof inconsistent with this Act, are hereby modified or amended  
9 accordingly.

10  
11 **Section 19. *Separability Clause.*** If, for any reason, any part or section of this Act is  
12 declared unconstitutional or invalid, such other parts not affected thereby shall remain in full  
13 force and effect.

14  
15 **Section 20. *Effectivity Clause.*** This Act shall take effect fifteen (15) days after its  
16 complete publication in the Official Gazette or in a national newspaper of general circulation.

17  
18 **Approved,**