

[REPUBLIC ACT NO. 7586, June 01, 1992]

**AN ACT PROVIDING FOR THE ESTABLISHMENT AND
MANAGEMENT OF NATIONAL INTEGRATED PROTECTED AREAS
SYSTEM, DEFINING ITS SCOPE AND COVERAGE, AND FOR OTHER
PURPOSES**

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

SECTION 1. *Title.* – This Act shall be known and referred to as the "National Integrated Protected Areas System Act of 1992."

SEC. 2. *Declaration of Policy.* – Cognizant of the profound impact of man's activities on all components of the natural environment particularly the effect of increasing population, resource exploitation and industrial advancement and recognizing the critical importance of protecting and maintaining the natural biological and physical diversities of the environment notably on areas with biologically unique features to sustain human life and development, as well as plant and animal life, it is hereby declared the policy of the State to secure for the Filipino people of present and future generations the perpetual existence of all native plants and animals through the establishment of a comprehensive system of integrated protected areas within the classification of national park as provided for in the Constitution.

It is hereby recognized that these areas, although distinct in features, possess common ecological values that may be incorporated into a holistic plan representative of our natural heritage; that effective administration of these areas is possible only through cooperation among national government, local government and concerned private organizations; that the use and enjoyment of these protected areas must be consistent with the principles of biological diversity and sustainable development.

To this end, there is hereby established a National Integrated Protected Areas System (NIPAS), which shall encompass outstandingly remarkable areas and biologically important public lands that are habitats of rare and endangered species of plants and animals, biogeographic zones and related ecosystems, whether terrestrial, wetland or marine, all of which shall be designated as "protected areas."

SEC. 3. *Categories.* – The following categories of protected areas are hereby established:

- a. Strict nature reserve;
- b. Natural park;
- c. Natural monument;
- d. Wildlife sanctuary;

- e. Protected landscapes and seascapes;
- f. Resource reserve;
- g. Natural biotic areas; and
- h. Other categories established by law, conventions or international agreements which the Philippine Government is a signatory.

SEC. 4. *Definition of Terms.* – For purposes of this Act, the following terms shall be defined as follows:

- a. "National Integrated Protected Areas Systems (NIPAS)" is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible;
- b. "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;
- c. "Buffer zones" are identified areas outside the boundaries of and immediately adjacent to designated protected areas pursuant to Section 8 that need special development control in order to avoid or minimize harm to the protected area;
- d. "Indigenous cultural community" refers to a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits, and who have, since time immemorial, occupied, possessed and utilized a territory;
- e. "National park" refers to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas;
- f. "Natural monument" is a relatively small area focused on protection of small features to protect or preserve nationally significant natural features on account of their special interest or unique characteristics;
- g. "Natural biotic area" is an area set aside to allow the way of life of societies living in harmony with the environment to adapt to modern technology at their pace;
- h. "Natural park" is a relatively large area not materially altered by human activity where extractive resource uses are not allowed and maintained to protect outstanding natural and scenic areas of national or international significance for scientific, educational and recreational use;
- i. "Protected landscapes/seascapes" are areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through recreation and tourism within the normal lifestyle and economic activity of these areas;
- j. "Resource reserve" is an extensive and relatively isolated and uninhabited area normally with difficult access designated as such to protect natural resources of the area for future use and prevent or contain development activities that could affect the resource pending the establishment of objectives which are based upon appropriate knowledge and planning;
- k. "Strict nature reserve" is an area possessing some outstanding ecosystem, features and/or species of flora and fauna of national scientific importance maintained to protect nature and maintain processes in an undisturbed state in

order to have ecologically representative examples of the natural environment available for scientific study, environmental monitoring, education, and for the maintenance of genetic resources in a dynamic and evolutionary state;

- l. "Tenured migrant communities" are communities within protected areas which have actually and continuously occupied such areas for five (5) years before the designation of the same as protected areas in accordance with this Act and are solely dependent therein for subsistence; and
- m. "Wildlife sanctuary" comprises an area which assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities or physical features of the environment where these may require specific human manipulation for their perpetuation.

SEC. 5. *Establishment and Extent of the System.* – The establishment and operationalization of the System shall involve the following:

- a. All areas or islands in the Philippines proclaimed, designated or set aside, pursuant to a law, presidential decree, presidential proclamation or executive order as national park, game refuge, bird and wildlife sanctuary, wilderness area, strict nature reserve, watershed, mangrove reserve, fish sanctuary, natural and historical landmark, protected and managed landscape/seascape as well as identified virgin forests before the effectivity of this Act are hereby designated as initial components of the System. The initial components of the System shall be governed by existing laws, rules and regulations, not inconsistent with this Act;
- b. Within one (1) year from the effectivity of this Act, the DENR shall submit to the Senate and the House of Representatives a map and legal description or natural boundaries of each protected area initially comprising the System. Such maps and legal descriptions shall, by virtue of this Act, constitute the official documentary representation of the entire System, subject to such changes as Congress deems necessary;
- c. All DENR records pertaining to said protected areas, including maps and legal descriptions or natural boundaries, copies of rules and regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications shall be made available to the public. These legal documents pertaining to protected areas shall also be available to the public in the respective DENR Regional Offices, Provincial Environment and Natural Resources Offices (PENROS) and Community Environment and Natural Resources Offices (CENROs) where NIPAS areas are located;
- d. Within three (3) years from the effectivity of this Act, the DENR shall study and review each area tentatively composing the System as to its suitability or nonsuitability for preservation as protected area and inclusion in the System according to the categories established in Section 3 hereof and report its findings to the President as soon as each study is completed. The study must include in each area:
 - 1. A forest occupants survey;
 - 2. An ethnographic study;
 - 3. A protected area resource profile;
 - 4. Land use plans done in coordination with the respective Regional Development Councils; and
 - 5. Such other background studies as will be sufficient bases for selection.

The DENR shall:

- (1) Notify the public of the proposed action through publication in a newspaper of general circulation, and such other means as the System deems necessary in the area or areas in the vicinity of the affected land thirty (30) days prior to the public hearing;
 - (ii) Conduct public hearings at the locations nearest to the area affected;
 - (iii) At least thirty (30) days prior to the date of hearing, advise all local government units (LGUS) in the affected areas, national agencies concerned, people's organizations and nongovernment organizations and invite such officials to submit their views on the proposed action at the hearing not later than thirty (30) days following the date of the hearing; and
 - (iv) Give due consideration to the recommendations at the public hearing; and provide sufficient explanation for his recommendations contrary to the general sentiments expressed in the public hearing;
- e. Upon receipt of the recommendations of the DENR, the President shall issue a presidential proclamation designating the recommended areas as protected areas and providing for measures for their protection until such time when Congress shall have enacted a law finally declaring such recommended areas as part of the integrated protected area systems; and
- f. Thereafter, the President shall send to the Senate and the House of Representatives his recommendations with respect to the designations as protected areas or reclassification of each area on which review has been completed, together with maps and legal description of boundaries. The President, in his recommendation, may propose the alteration of existing boundaries of any or all proclaimed protected areas, addition of any contiguous area of public land of predominant physical and biological value. Nothing contained herein shall limit the President to propose, as part of his recommendation to Congress, additional areas which have not been designated, proclaimed or set aside by law, presidential decree, proclamation or executive order as protected area/s.

SEC. 6. *Additional Areas to be Integrated to the System.* – Notwithstanding the establishment of the initial component of the System, the Secretary shall propose the inclusion in the System of additional areas with outstanding physical features, anthropological significance and biological diversity in accordance with the provisions of Section 5(d).

SEC. 7. *Disestablishment as Protected Area.* – When in the opinion of the DENR a certain protected area should be withdrawn or disestablished, or its boundaries modified as warranted by a study and sanctioned by the majority of the members of the respective boards for the protected area as herein established in Section 11, it shall, in turn, advise Congress. Disestablishment of a protected area under the System or modification of its boundary shall take effect pursuant to an act of Congress. Thereafter, said area shall revert to the category of public forest unless otherwise classified by Congress: *Provided, However,* That after disestablishment by

Congress, the Secretary may recommend the transfer of such disestablished area to other government agencies to serve other priority programs of national interest.

SEC. 8. *Buffer Zones.* – For each protected area, there shall be established peripheral buffer zones when necessary, in the same manner as Congress establishes the protected area, to protect the same from activities that will directly and indirectly harm it. Such buffer zones shall be included in the individual protected area management plan that shall be prepared for each protected area. The DENR shall exercise its authority over protected areas as provided in this Act on such area designated as buffer zones.

SEC. 9. *Management Plans.* – There shall be a general management planning strategy to serve as guide in formulating individual plans for each protected area. The management planning strategy shall, at the minimum, promote the adoption and implementation of innovative management techniques including, if necessary, the concept of zoning, buffer zone management for multiple use and protection, habitat conservation and rehabilitation, diversity, management, community organizing, socioeconomic and scientific researches, site-specific policy development, pest management, and fire control. The management planning strategy shall also provide guidelines for the protection of indigenous cultural communities, other tenured migrant communities and sites and for close coordination between and among local agencies of the Government as well as the private sector.

Each component area of the System shall be planned and administered to further protect and enhance the permanent preservation of its natural conditions. A management manual shall be formulated and developed which must contain the following: an individual management plan prepared by three (3) experts, basic background information, Field inventory of the resources within the area, an assessment of assets and limitations, regional interrelationships, particular objectives for managing the area, appropriate division of the area into management zones, a review of the boundaries of the area, and a design of the management programs.

SEC. 10. *Administration and Management of the System.* – The National Integrated Protected Areas System is hereby placed under the control and administration of the Department of Environment and Natural Resources. For this purpose, there is hereby created a division in the regional offices of the Department to be called the Protected Areas and Wildlife Division in regions where protected areas have been established, which shall be under the supervision of a Regional Technical Director, and shall include subordinate officers, clerks, and employees as may be proposed by the Secretary, duly approved by the Department of Budget and Management, and appropriated for by Congress. The Service thus established shall manage protected areas and promote the permanent preservation, to the greatest extent possible of their natural conditions.

To carry out the mandate of this Act, the Secretary of the DENR is empowered to perform any and all of the following acts:

- a. To conduct studies on various characteristic features and conditions of the different protected areas, using commonalities in their characteristics, classify