

[ADMINISTRATIVE ORDER NO. 2018-05, May 24, 2018]

**ADDENDUM TO DENR ADMINISTRATIVE ORDER NO. 2007-17 ON
THE RULES AND REGULATIONS GOVERNING SPECIAL USES
WITHIN PROTECTED AREAS**

Adopted: 15 March 2018

Date Filed: 24 May 2018

Pursuant to Section 10 (f) of RA 7586, otherwise known as the National Integrated Protected Areas System (NIPAS) Act of 1992 and Rule 11.1.6 of its Revised Implementing Rules and Regulations (DAO No. 2008-26), and in order to ensure the proper determination assessment and collection of fees for Special Use Agreement in Protected Areas (SAPA), the following provisions are hereby added to DAO No. 2007-17 as its Annex C to read as follows:

ANNEX C. GUIDELINES AND PRINCIPLES IN DETERMINING DEVELOPMENT FEES FOR ACCESS TO AND SUSTAINABLE USE OF RESOURCES IN PROTECTED AREAS

1. The DENR shall impose development fees based on the fixed percentage of the zonal value of the land and improvements thereon. The fees shall be equivalent to five percent (5%) of the most recent zonal value of the commercial zone in the nearest barangay or municipality where the project area is located multiplied by the size of the area for development and one percent (1%) of the value of improvement as premium to the protected area. The most recent zonal values prescribed by the Bureau of Internal Revenue (BIR) for the commercial zone within the nearest .barangay or municipality will be used as basis for the computation of SAPA development fees. Provided further, that the said fee shall be re-evaluated every five years.
2. Zonal value shall refer to the amount set by the BIR with the assistance of realtors and other knowledgeable persons in the area as the basis for capital gains, transfer, donor's and creditable withholding taxes, expropriation and other transactions with the Government.
3. Development fee shall refer to the fee for the use of land or other resources for the privilege of undertaking small, medium and other bigger scale development. The development fee shall be paid by the proponent upon approval of the SAPA by the Secretary and annually thereafter by depositing the amount to the Integrated Protected Area Fund (IPAF). The proponent shall present the proof of deposit to DENR through the Protected Area Superintendent (PASU) who shall release the SAPA to the proponent upon confirmation of deposit/payment.