

**[DENR ADMINISTRATIVE ORDER NO. 2004-33,
August 31, 2004]**

**AMENDMENTS TO DENR ADMINISTRATIVE ORDER NO. 2002-04,
OTHERWISE KNOWN AS THE "RULES AND REGULATIONS
GOVERNING THE ISSUANCE OF PERMITS FOR TREASURE
HUNTING, SHIPWRECK/SUNKEN VESSEL RECOVERY AND
DISPOSITION OF RECOVERED TREASURES/VALUABLE CARGOES,
INCLUDING HOARDED HIDDEN TREASURES"**

In line with the policy of the Government to continuously provide for a responsive regulatory framework, DENR Administrative Order No. 2002-04 dated January 22, 2002 entitled "Rules and Regulations Governing the Issuance of Permits for Treasure Hunting, Shipwreck/Sunken Vessel Recovery and Disposition of Recovered Treasures/Valuable Cargoes, Including Hoarded Hidden Treasures", is hereby amended as follows:

Section 1. Section 4 (Definition of Terms) is hereby amended to read as follows:

"As used in and for purposes of these rules and regulations, the following terms shall mean:

a. Area Clearance - refers to a clearance issued by the concerned agency/ies allowing an applicant to conduct treasure hunting or shipwreck/sunken vessel recovery activities as shown in the submitted technical and environmental work programs.

b. Artifacts - refer to articles that are products of human skills or workmanship, especially in the simple product of primitive arts or industry representing past eras or periods.

c. Bureau - refers to the Mines and Geosciences Bureau (MGB).

d. Certificate of Non-Coverage (CNC) - refers to a document issued by the EMB Regional Director certifying that based on the submitted project description, the project is not covered by the EIS System and is not required to secure an ECC.

e. Department - refers to the Department of Environment and Natural Resources of the Republic of the Philippines.

f. Digging - refers to the process or activities of excavating hidden treasures buried underground for years or centuries.

g. Director - means the Director of the Mines and Geosciences Bureau.

h. Environmental Compliance Certificate - refers to a document issued by the

Secretary or the concerned Regional Executive Director of the Department of Environment and Natural Resources certifying that based on the representation of the proponent and the preparer, the proposed project or undertaking will not cause significant negative environmental impact and that the proponent is committed to undertake all the mitigation measures stated in the Initial Environment Examination.

i. Environmental Impact Assessment - refers to a process of predicting the likely environmental consequences of implementing a project or undertaking and designing appropriate preventive, mitigating and enhancement measures.

j. Environmental Work Program - refers to a comprehensive and strategic management, plan to achieve the environmental objectives, criteria and commitments including protection and rehabilitation of the disturbed environment during and after the treasure hunting or shipwreck/sunken vessel recovery.

k. Hidden Treasures - refer to any hidden and unknown deposit of mineral products, money, jewelry, or other precious object, the lawful ownership of which does not appear.

l. Initial Environment Impact Examination (IEE) - refers to the document required of proponents describing the environmental impact of and mitigation and enhancement measures for projects or undertakings located in an Environmentally Critical Area.

m. Permit - refers to the Permit issued for Treasure Hunting or Shipwreck/Sunken Vessel Recovery.

n. Permit Holder - refers to a holder of a Permit for Treasure Hunting or Shipwreck/Sunken Vessel Recovery.

o. Private Land - refers to titled land belonging to any private person or entity which includes alienable and disposable land being claimed by a holder, claimant or occupant who has already acquired a vested right thereto under the law, although the corresponding certificate or evidence of title or patent has not been actually issued.

p. Regional Director - means the Regional Director of any Regional Office.

q. Regional Office - means any of the Regional Offices of the Mines and Geosciences Bureau.

r. Relics - refer to objects possessing cultural properties which, either as a whole or in fragments, are left behind after the destruction or decay of the rest of its part and which are intimately associated with important beliefs, practices, customs and traditions, periods and personages.

s. Secretary - refers to the Secretary of the Department of Environment and Natural Resources.

t. Shipwreck - refers to a sunken vessel due to acts of war or of rough sea conditions or maritime accident which possesses treasures and valuable cargoes.

u. Shipwreck Recovery - involves any and all underwater activities such as but not

limited to surveying, locating and exploring, salvaging and recovery of sunken vessels and all cargoes and other valuable items therein, including the process of securing, preservation, documentation and disposition of the salvaged or recovered valuables.

v. Technical Work Program - refers to a detailed outline of activities and financial plan to be followed in the treasure hunting or shipwreck/sunken vessel recovery.

w. Treasure Hunting - refers to any and all inland activities such as but not limited to locating, digging or excavating, securing, transporting and disposition of recovered treasures.

x. Site - refers to the actual ground location of diggings, excavations or shipwreck/sunken vessel recovery activities.

Section 2. Section 6 (Filing of Application) is hereby amended, to read as follows:

"All applications for Treasure Hunting or Shipwreck/Sunken Vessel Recovery Permit shall be made under oath and shall be filed with the Regional Office concerned where all legal, technical, financial and operational requirements shall be evaluated. An application fee in the amount of Ten Thousand Pesos (Php 10,000,00) shall be paid to the Regional Office concerned.

Section 3. Section 7 (Requirements) is hereby amended, to read as follows:

"All applications shall be accompanied by the following:

a. Legal and Administrative

1. Prescribed Personal and/or Corporation Information Sheet;

2. For partnerships, associations or corporations:

2.1 Certified true copy of Certificate of Registration issued by the Securities and Exchange Commission (SEC) or concerned authorized Government agency;

2.2 Certified true copy of Articles of Incorporation/Partnership/ Association and By-Laws; and

2.3 Organizational and Operational Structure.

3. Area clearance and consent of the concerned Government agency, when the activities affect public lands, Government buildings, dams, watersheds and other areas or sites reserved or used for purposes affecting vital national interest, military or naval camps, bases and reservations, shrines and other hallowed places, or within protected seascapes/areas or marine parks, if applicable;

4. Consent of landowner(s), contractors or concessionaires, when the activities are bound to affect private lands, mining/quarrying contract/permit areas, tree