

[TPAMB, January 28, 2004]

RULES AND REGULATIONS FOR THE CONDUCT OF ACTIVITIES IN THE TUBBATAHA REEF NATIONAL MARINE PARK AND WORLD HERITAGE SITE

ARTICLE I Policy and Application

Section 1. Title. These rules shall be known and called the "Rules and Regulations for the Conduct of Activities in the Tubbataha Reef National Marine Park (TRNMP) and World Heritage Site".

Section 2. Purpose. Pursuant to the TRNMP Management Plan approved by the Palawan Council for Sustainable Development (PCSD) during its 70th meeting dated November 26, 1999, these rules are promulgated to prescribe the procedures and guidelines for the conduct of tourism activities in TRNMP in order to ensure achievement of its objectives.

Section 3. Declaration of Policy. Primordial consideration to the natural living processes of the park, the conservation of its resources, and the protection of all flora, fauna and abiotic resources within it shall be the guiding principle for these rules. These rules and regulations shall guide the actions of all visitors to the protected area. Visitors are observers of the park's living processes and visitation is a privilege, not a right. Therefore users are to act responsibly towards the critical environment of TRNMP to ensure the maintenance of its economic, biological, educational, socio-cultural and scientific values.

Section 4. Construction. All doubts in the interpretation and implementation of these Rules and Regulations shall be resolved in the light of the Declaration of Policies contained herein.

Section 5. Scope of Application. These Rules shall apply in the Tubbataha Reef National Marine Park and World Heritage Site and shall serve to guide all Park users and visitors entering TRNMP.

Section 6. Definition of Terms. As used in these Rules, the following terms are defined as follows:

- (1) "**Commercial diving operations**" refers to the delivery of scuba diving gears and scuba diving services for a fee;
- (2) "**Moorings**" refers to concrete semi-permanent fixtures on the sea bottom installed by the TPAMB to provide sea crafts and vessels a steady

position on which to tie to avoid damaging corals and drifting. "Moorings" shall include ropes, chains, buoys, and all other attendant components attached to the concrete blocks necessarily used by the boats for tying.

(3) "**Visitors**" shall refer to any individual entering TRNMP for purposes of tourism, research, or official business;

(4) "**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;

(5) "**Fishing gear**" means any instrument or device and its accessories utilized in taking fish and other fishery species. "Fishing gear" includes, but are not limited to, fishing rods, tackles, hooks, fishing lines, nets, catch bags, gaffs, bait, and equipment used for spear fishing, whether or not these fishing gears are in their assembled form or in separate parts;

(6) "**Local tourists**" shall refer to Filipinos visiting the TRNMP;

(7) "**Crew**" shall refer to all employees of the boat who must possess a seaman's book or other pertinent seaman's papers.

ARTICLE II

Rules and Regulations

Section 7. No vessel less than twenty-five (25) gross tons is allowed to undertake commercial diving operations within the Park.

Section 8. All dive operators or their representatives must register with the Ranger Station by radio (VHF Ch16) upon entering the Park. If this is not possible, they must report in person.

Section 9. All boats shall use mooring buoys provided within TRNMP. Boats above 200 gross tons tie to mooring buoys at their own risk and are required to drift during rough weather. Tying to a moored boat is prohibited. The TPAMB shall not be responsible for any loss or damage that may result in the use of mooring buoys. Users are therefore advised to check all lines and accessories prior to use. Any damage to moorings due to fault or negligence shall render the user liable for the payment of the cost of damage or reinstallation of the same. The following shall constitute negligence on the part of the user:

- 9.1 Running over/dragging rope and buoy;
- 9.2 Failure to untie from moorings during bad weather conditions;
- 9.3 Other similar acts resulting to damage of moorings.

Section 10. Boats are required to inform the ranger station of the buoy used prior