

**[PCSD ADMINISTRATIVE ORDER NO. 08, S. 2003,
September 12, 2003]**

**IMPLEMENTING PCSD RESOLUTION NO. 03-217, ADOPTING AND
REVISING THE DENR RULES AND REGULATIONS OF THE
NATIONAL CAVES AND CAVE RESOURCES MANAGEMENT AND
PROTECTION ACT AS APPLICABLE IN THE PROVINCE OF
PALAWAN**

Pursuant to Section 11 of Republic Act No. 9072, this Administrative Order providing for the rules and regulations governing the implementation of the "National Cave and Caves Resources Management and Protection Act" and PCSD Resolution No. 03-217, is hereby promulgated for the compliance and guidance of all concerned in the Province of Palawan.

SECTION 1. Basic Policy - It is the policy of the State to conserve, protect and manage caves and cave resources as part of the country's natural wealth. Towards this end, the State shall strengthen cooperation and exchange of information between government authorities and users of caves and cave resources for scientific, educational, recreational, tourism and other purposes. It shall also promote the widest participation of the different sectors of the society in planning, implementing, monitoring and evaluation of cave activities.

SECTION 2. Scope and Coverage - This Administrative Order is issued pursuant to the policy declared in Republic Act No. 9072 and its objectives as stated. It shall cover all caves and cave resources within public domain and private lands, excluding manmade excavation, vug, mine tunnel and aqueducts in the province of Palawan.

SECTION 3. Definition of Terms - For the purpose of this Order, the following terms shall be defined as follows:

3.1 **Ancestral domains** - shall refer to all areas generally belonging to indigenous peoples comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownerships, occupied or possessed by indigenous peoples, 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/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 peoples but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of indigenous peoples who are still nomadic and/or shifting cultivators.

3.2 **Archaeology** - shall refer to the scientific study of material remains such as fossils, relics, artifacts, features and monuments, of past human life and activities, and cultural remains;

3.3 **Aqueduct** - shall refer to a man-made channel designed to transport water over long distances usually by gravity; an elevated structure supporting a channel or canal passing over a river of low ground;

3.4 **Cave** - shall refer to any naturally occurring void, cavity, recess or system of interconnected passages beneath the surface of the earth or within a cliff or ledge and which is large enough to permit an individual to enter, whether or not the entrance, located either on private or public land is naturally formed or man-made. It shall include any natural pit, sinkhole, or other features therein but not any vug, mine tunnel, aqueduct or other man-made excavation;

3.5 **Cave resources** - shall refer to any material or substance occurring naturally in caves, such as animal life, plant life, including paleontological and archaeological deposits, cultural artifacts, or products of human activities, sediments, minerals, speleogens, and speleothems. These shall also include animal derivatives such as, but not limited to edible birds' nests and guano;

3.6 **Derivative** - shall refer to a substance/material extracted or taken from wildlife such as but not limited to blood, saliva, honey, wine, serum, excreta and the like; a compound directly or indirectly produced from wildlife and/or products produced from wildlife and wildlife products;

3.7 **Geology** - shall refer to the science that deals with the composition and structures of the earth and the changes it has undergone or is undergoing including the study of life and the environment which existed as recorded in the different rock sequences;

3.8 **Indigenous people** - shall refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, become historically differentiated from the majority of Filipinos. Indigenous peoples shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization or at the inroads of non-indigenous religions and cultures, or

the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains;

3.9 **Mineral resources** - shall refer to any concentration of mineral rocks or rocks with potential economic value;

3.10 **PCMPCB** - shall refer to the Palawan Cave Management, Protection and Conservation Board;

3.11 **PCSD** - shall refer to the Palawan Council for Sustainable Development created under Section 16 of Republic Act 7611;

3.12 **PCSDS** - shall refer to the Palawan Council for Sustainable Development Staff as provided under Section 20 of Republic Act 7611;

3.13 **Paleontology** - shall refer to the science dealing with the life of past geological periods as known from fossil remains;

3.14 **Significant Cave** - shall refer to a cave, which contains materials or possesses features that have archaeological, cultural, ecological, historical or scientific value as determined by the PCSD in coordination with the scientific community and the academe;

3.15 **Sinkhole** - shall refer to a depression in the land surface generally in a limestone region communicating with subterranean passages developed by solution;

3.16 **Speleogen** - shall refer to relief features on the walls, ceilings and floors of any cave or lava tube which are or part of the surrounding bedrock, including but not limited to anastomoses scallops, meander niches, petromorphs and rock pendants in solution caves and similar features unique to volcanic caves;

3.17 **Speleothem** - shall refer to any natural mineral formation or deposit occurring in a cave or lava tube, including but not limited to stalactite, stalagmite, helictite, cave flower, flowstone, drapery, rim stone or formation of clay or mud;

3.18 **Vug** - shall refer to a small cavity in a vein or in a rock, usually lined with crystals of a different mineral composition from an enclosing rock;

SECTION 4. Implementing Agency - Pursuant to Section 4 of Republic Act No. 9072, the Palawan Council for Sustainable Development (PCSD) shall be the lead implementing agency by virtue of RA 7611 or the Strategic Environmental Plan for Palawan. The PCSD shall coordinate with the following agencies:

4.1 Local Government Units (LGUs) in the management and protection of caves pursuant to Republic Act 7160 (Local Government Code of 1991) and its implementing rules and regulations;

4.2 National Museum (NM) in the management and protection of caves in Palawan assessed with cultural, paleontological and archaeological values pursuant to Republic Act 4846 (An Act Providing for the Protection and Preservation of Philippine Cultural Properties) and its implementing rules and regulations;

4.3 National Historical Institute (NHI) in the management and protection of caves assessed with historical value pursuant to Presidential Decree No. 1505-78 (Amending Presidential Decree No. 26, as amended, by Prohibiting the Unauthorized Modification, Alteration, Repair and Destruction of Original Features of All National Shrines, Monuments, Landmarks and Other Important Historic Edifices); and

4.4 Department of Tourism (DOT) in the promotion of caves classified for ecotourism and in the cave visitor management in accordance with Executive Order No. 111 (Establishing the Guidelines for Ecotourism Development in the Philippines) and Joint DENR-DOT Memorandum Circular No. 98-02 (Guidelines for Ecotourism Development in the Philippines)

SECTION 5. Powers and Functions of the PCSD - The PCSD shall exercise the following powers and functions:

5.1 Conduct provincewide planning, technical assistance to other agencies, monitoring, and evaluation of activities, in the implementation of this Order;

5.2 Enter into a Memorandum of Agreement (MOA) with any local government unit, other government agencies, non-government organization, people's organization, academe and other concerned entities for the conservation, protection, development, and management of caves;

5.3 Coordinate and/or collaborate with concerned government agencies, non-government organizations, people's organization, academe and other concerned agencies in the conduct of cave assessments;

5.4 Tap the cooperation of non-government organizations, people's organization and other stakeholders as active partners in the conservation and protection of caves and cave resources;

5.5 Disseminate information and conduct educational campaign on the need to conserve, protect and manage caves and cave resources, and/or other partner agencies;

5.6 Issue permits for the collection and removal of guano and other