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TECHNICAL BULLETIN
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SUBJECT : PRESCRIBING THE GUIDELINES ON THE PREPARATION OF THE PROTECTED AREA MANAGEMENT BOARD (PAMB) MANUAL OF OPERATIONS

Pursuant to Republic Act No. 7586, otherwise known as the National Integrated Protected Areas System (NIPAS) Act of 1992 and its Revised Implementing Rules and Regulations, and in order to assist the PAMBs in effectively carrying out their functions, the attached Guidelines on the Preparation of the PAMB Manual of Operations is hereby prescribed.

Section 1. Objective. This Technical Bulletin aims to provide reference and guide to the PAMBs in crafting their respective Manual of Operations and thereby promote transparency and accountability among the members of the Board in the performance of their duties and responsibilities.

Section 2. Scope. The Guidelines shall apply to all PAMBs created pursuant to the NIPAS Act and the membership of which has been officially appointed by the DENR Secretary.

Section 3. Guiding Principles. The PAMBs, in the performance and execution of their official duties and responsibilities, shall be guided by the principles of sustainable development, precautionary approach, accountability, participation, transparency, adherence to laws and policies, efficiency, commitment to public interest, professionalism, fairness and sincerity, and political neutrality. The procedures to be adopted in the PAMB Manual of Operations should likewise be anchored on these guiding principles.

Section 4. Adoption of the PAMB Manual of Operations. The Management Boards, with the assistance of the concerned DENR Regional Office and the Protected Area Superintendent (PASu) shall develop their respective Manual of Operations based on the minimum standards provided herein. Additional standards and procedures as necessary, may be adopted by the Management Board, provided that these conform with the provisions of the NIPAS Act and its Implementing Rules and Regulations (IRR), and the law declaring the protected area under the NIPAS.

Section 5. Transitory Provision. All existing PAMB Manual of Operations shall be respected. Provided, that the PAMB shall adopt the minimum standards prescribed in this Technical Bulletin in updating their respective Manual of Operations.

Section 6. Effectivity. This Technical Bulletin shall take effect immediately and shall be circulated to all concerned for information and guidance.

THERESA MUNDITA S. LIM
Director

INTRODUCTION

Protected areas provide the foundation for the conservation of biological diversity since they cover representative examples of unique and threatened species and their outstanding habitats that need protection. These include a wide range of land and water that have value for biodiversity and landscape conservation necessary for the provision of ecosystem services that sustain various benefits for human well-being.

Cognizant of the importance of protected areas, the Convention on Biological Diversity considers protected areas as a cornerstone strategy for nature conservation. As signatory to the Convention, the Philippines is committed to pursue Target 11 of the Aichi Biodiversity Targets which provides that *by 2020, at least 17 per cent of terrestrial and inland water, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscape and seascapes*. It is in this context that the National Government is obliged to improve the management of protected areas in the country as a contribution to the global efforts on the conservation of biological diversity.

The 1987 Philippine Constitution guarantees the protection and advancement of the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature¹. This was strengthened under Article XII thereof with the inclusion of National Park as a distinct classification of lands of the public domain and further mandating Congress to set its limits.

Pursuant to this Constitutional mandate, Republic Act 7586 was enacted establishing the National Integrated Protected Areas System or NIPAS. The Act defined protected areas as “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.” Under the NIPAS Act, protected areas fall under the land classification of National Park as provided for in the Philippine Constitution.

RA 7586 or the NIPAS Act of 1992 recognizes that effective administration of protected areas is possible only through cooperation among the national government, local governments and concerned private organizations. In this light, the NIPAS Act created a Protected Area Management Board (PAMB) for each established protected area as a mechanism for multi-sectoral and participatory approach to protected area management.

¹ Article II of the 1987 Philippine Constitution

This Guidelines on the Preparation of PAMB Manual of Operations has been developed to assist the PAMB in carrying out its functions and responsibilities. It sets forth the minimum standards for PAMB's operations and conduct of business. The Manual of Operations may be further enhanced based on the specific requirements and conditions of individual protected areas.

LEGAL BASIS

RA 7586 entitled "An Act Providing for the Establishment and Management of National Integrated Protected Areas System, Defining its Scope and Coverage and Other Purposes" is a landmark legislation for biodiversity conservation passed by Congress on 01 June 1992. It superseded the then National Parks Law or Act 3915 of 1932 which provided for a centralized system of managing conservation areas such as national parks, nature reserves, and game refuge and bird sanctuaries.

The NIPAS Act is a complete departure from the National Parks Law of 1932 with the introduction of multi-sectoral and participatory approach to natural resource management. The creation of the PAMB under Section 11 of the Act addressed the need for cooperation and collaboration among various stakeholders for the effective administration of protected areas. The details on the creation of the PAMB and other relevant provisions are provided in DENR Administrative Order No. 2008-26 or the Revised Implementing Rules and Regulations of the NIPAS Act.

GUIDING PRINCIPLES

The PAMB shall adopt the following principles and norms as standards in the performance and execution of its official duties and responsibilities:

1. **Sustainable Development.** The PAMB shall uphold the principle of sustainable development in all its actions and decisions. It shall strive to achieve a balance between ecological integrity and socio-economic development, responding to the needs of the present generation without compromising the ability of the future generations to meet their own needs.
2. **Precautionary Principle.** The PAMB shall exercise caution in taking actions and making decisions. However, in case of threat of serious irreversible damage to the environment or human lives, the lack of full scientific knowledge about the situation should not be a cause for delay in the PAMB's decisions.
3. **Accountability.** The PAMB shall be accountable to the government and the public for all its actions including the proper management and utilization of protected area funds. The decisions or actions of the PAMB shall be equally responsive to the needs of environmental protection and the welfare of the local communities.

4. **Participation.** As far as practicable, the PAMB shall engage the various stakeholders in the management of the protected area.
5. **Transparency and Information.** Consistent with EO No. 02, s. 2016 and applicable implementing details, all information pertaining to the management of the protected area and the local communities, and documents such as, but not limited to, management plans and financial statements shall be made available to the public upon request.
6. **Adherence to Laws and Policies.** The PAMB members are expected to abide by relevant laws and policies governing protected area management and should act within the limits of their powers.
7. **Efficiency.** The PAMB shall ensure financial sustainability of the protected area through the proper formulation and implementation of the management plan. All revenues generated by the protected area shall be used solely to contribute to the protection, maintenance, administration, and management of the protected area.
8. **Commitment to Public Interest.** The PAMB shall extend prompt, courteous and adequate service to the public. The members shall always uphold public interest over personal interest. All government resources and powers of their respective offices must be employed and used efficiently, effectively, honestly and economically, particularly to avoid wastage in public funds and revenues.
9. **Professionalism.** The PAMB shall perform and discharge its duties with the highest degree of excellence, professionalism, intelligence and skill. The members shall perform public service with utmost devotion and dedication to duty.
10. **Fairness and Sincerity.** The PAMB must act with fairness and sincerity and shall not discriminate against anyone and the underprivileged. It shall at all times respect the rights of others, and shall refrain from doing acts contrary to law, good morals, good customs, public order, public policy, public safety and public interest. It shall not dispose or extend undue favor on account of their offices to their relatives whether by consanguinity or affinity.
11. **Political Neutrality.** The PAMB shall provide service to everyone without unfair discrimination and regardless of party affiliation or preference.

VISION AND MISSION

The Management Board shall pursue the development of its Vision and Mission for the protected area. The vision statement shall reflect the long term goals of protected area management and shall be in accordance with the Guiding Principles of the PAMB. The Mission statement on the other hand, shall reflect the activities that will be implemented to achieve the PAMB's vision. The mission and vision statements must be short and written in simple language.

ORGANIZATIONAL STRUCTURE, COMPOSITION, AND POWERS

COMPOSITION AND ORGANIZATIONAL STRUCTURE

The PAMB shall be composed of the following:

1. The DENR Regional Director (RD) as Chairperson and advisor on matters related to the management of the protected area;

In cases where the protected area straddles more than one region, the RD of the region covering the larger portion of the protected area may be designated as the Chairperson of the Management Board. He/she shall coordinate with the other RD(s) for the implementation of the management and development programs and activities of the protected area.

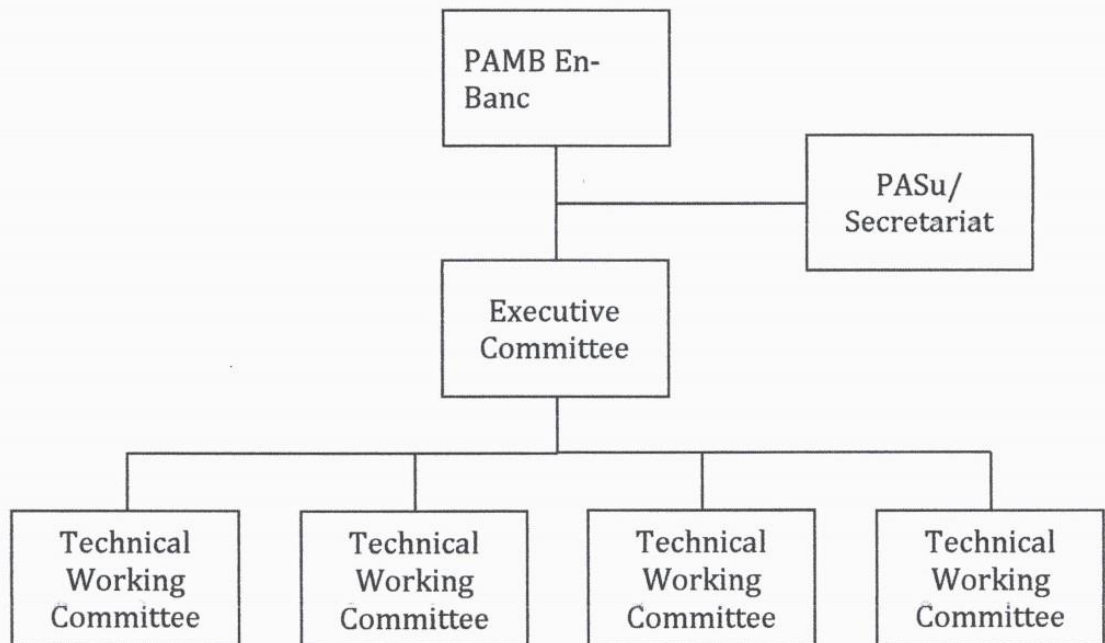
2. One representative of the Autonomous Regional Government, if applicable;
3. The Provincial Planning and Development Officer/Coordinator from each province with territory within the protected area;
4. One representative from each of the Municipality/City covering the protected area;
5. One representative from each of the Barangay covering the protected area;
6. One representative from each tribal community within the protected area as certified and endorsed by the NCIP, if applicable;
7. At least three (3) but not more than five (5) representatives from local NGOs and community organizations, including people's organizations, church or civic organizations and the academe. In case of NGO/PO consortia, each consortium shall be entitled to one (1) representative to the Management Board. Provided, that the total NGO/PO representation to the Management Board shall not exceed twenty-five percent (25%) of the total membership of the PAMB; and

8. One representative each, if necessary, from other departments or national government agencies involved in the protected area.

If feasible, at least forty percent (40%) of the PAMB members shall be women, pursuant to R. A. 9710 or the Magna Carta of Women.

The final composition of the PAMB shall be determined upon the enactment of the law placing the protected area under the NIPAS.

The typical Organizational Structure of the PAMB shall be as follows:



The creation of the Technical Working Committees will vary depending on the needs of the PAMB.

For small PAMBs, the creation of the Executive Committee and Technical Working Committees may no longer be necessary.

FUNCTIONS AND RESPONSIBILITIES

The PAMB is vested with two major functions based on the NIPAS Act and its Revised Implementing Rules and Regulations. These functions can be broadly categorized into: (a) site-specific policy and rule-making; and (b) administrative functions. In addition to the functions listed below, the PAMB may be granted additional powers, authorities and functions as may be provided by the specific law declaring the protected area under the NIPAS.

A. Policy and Rule-Making Functions

1. Recommend fees and other charges to the Secretary for the use of the protected area and its facilities;
2. Develop a management strategy for the buffer zone together with the concerned community, LGUs, other government agencies, NGOs, POs and other concerned stakeholders²;
3. Review and update the PA Management Plan at least every five (5) years³;
4. Issue clearance for the disposition of confiscated items, except those items that are held under *custodia legis*, those that are the subject of donation, those that must be deposited with appropriate government agency, and those that will be utilized for the DENR's own needs in accordance with the existing related rules and regulations⁴;
5. Set the allowable limit for the volume of trees that may be extracted by PACBRMA holders with approved Community Resource Management Plan (CRMP)⁵.

B. Administrative Functions

1. Approve policies, guidelines, plans and programs, proposals, agreements and other related documents, including Manual of Operations for the management of the protected area;
2. Facilitate the ground delineation and demarcation of the boundaries of the protected area and buffer zone;
3. Ensure that the Management Plan of protected area and the Ancestral Domain Sustainable Development and Protection Plan are interfaced;
4. Ensure that the Management Plan of the protected area is incorporated into the Comprehensive Land Use Plan, Regional and Local Development and Investment Plans;
5. Ensure the implementation of programs as prescribed in the Management Plan of protected area;
6. Monitor and evaluate the progress in the implementation of the Management Plan, including its interface with the ADSDPP;

² DAO 2008-26 Rules 9.3 and 9.4

³ DAO 2008-26 Rule 10.10

⁴ DAO 2008-26 Rule 11.7.1

⁵ DAO 2008-26 Rule 11.7.4

7. Monitor and assess the performance of the PASu and other protected area personnel and compliance of partners to the terms and conditions of any undertaking, contract or agreement;
8. Intervene to resolve conflicts or disputes among tenured migrant communities, between tenured migrant communities and ICCs/IPs, but excluding conflicts or disputes exclusively among ICCs/IPs.

APPOINTMENT AND TERM OF OFFICE OF MEMBERS

The Secretary of the DENR shall appoint the members of the PAMB upon submission by the DENR Regional Office of the required documents of each nominated PAMB member. The Regional Office shall submit the Certificates of Appointment with endorsement to the Office of the Secretary through the Biodiversity Management Bureau.

In the event that the nominated representatives of the LGUs are not Mayors and Punong Barangays, their respective Sanggunian, through a resolution, shall endorse them as PAMB members. In case of NGO/PO representatives, the head of the respective organizations shall likewise nominate them to the PAMB in writing. NGOs members should preferably be based in the protected area or should have established and recognized interest in the protected area.

Indigenous cultural communities/indigenous peoples within the protected area shall nominate their representatives to the PAMB following their customary laws and practices. The DENR Regional Office shall validate and confirm the said nomination with the National Commission on Indigenous Peoples (NCIP).

PAMB members shall serve for a term of five (5) years without compensation, except for actual and necessary travelling and subsistence expenses incurred in the performance of their duties. The DENR Regional Director together with the Provincial Planning and Development Officer/Coordinator shall serve ex-officio to the PAMB.

When a vacancy occurs during the term of a member, a new member shall be appointed in the same manner as the original appointment in order to complete the unfinished term of the said vacancy. The term of office of elective local officials to the PAMB shall be co-terminus with his/her position. Incoming elective official may opt to allow continuity of representation by the previous elective official through Sanggunian Resolution which should be communicated to the PAMB.

QUALIFICATIONS

Prospective members of the PAMB shall have the following qualifications: must be a Filipino; of legal age; must be of sound mind and of good moral character; and must be properly endorsed by the organization, entity and government instrumentality he/she is representing.

OFFICIAL REPRESENTATIVES AND ALTERNATES

The members of the PAMB shall be issued with Certificates of Appointment by the DENR Secretary. The Certificate of Appointment shall be the written appointment of the Secretary designating said representative as member of the PAMB.

Representatives of NGOs and POs shall be endorsed by their respective head of the organization. In case of NGO/PO consortia, each consortium shall be entitled to one (1) representative but their representation shall not exceed twenty-five per cent (25%) of the total membership of the PAMB.

Alternate representatives of PAMB members must be communicated formally to the DENR RD thru the PASu whenever the appointed PAMB member cannot attend the meetings of the Management Board. As alternate representative, he/she carries the same authority of the appointed member of the PAMB and is obliged to inform the appointed member of the Management Board's decision/commitment.

GROUNDS FOR REMOVAL AND SUSPENSION

A member of the PAMB may be removed for any of the following grounds⁶:

1. More than three (3) consecutive unexcused absences during the regularly scheduled meetings of the PAMB;
2. Commission of acts prejudicial to the management of the PA as embodied in Section 20 of the NIPAS Act or other existing rules and regulations governing protected areas;
3. Disassociation from the office or organization being represented;
4. Dissolution of the office or organization being represented; or
5. Conviction by final judgment of any criminal act.

The PAMB shall formulate specific policy on disciplinary measures for habitual absentee *ex-officio* members.

⁶ Rule 12.8 and 12.9 of DENR Adm. Or. No. 2008-26 or the Revised Implementing Rules and Regulations of the NIPAS Act

EXECUTIVE COMMITTEE AND TECHNICAL WORKING COMMITTEES

PAMB en banc

In order to facilitate the accomplishment of its functions and responsibilities, the PAMB *en banc* may create the following Committees through the issuance of Resolutions:

Executive Committee

The Executive Committee shall be composed of the following:

1. DENR Regional Director as the Chairperson;
2. One representative from the Autonomous Regional Government, if applicable;
3. At least one representative each from the Provincial and Municipal Governments;
4. One representative from NGOs/POs; and
5. At most three (3) representatives from IPs

The PAMB shall determine the authorities to be delegated to the Executive Committee and may call on representatives from other concerned government agencies, if necessary, to attend its meetings. The Executive Committee shall be formed by virtue of a PAMB resolution.

Technical Working Committees

When feasible, the PAMB *en banc* may likewise create other Technical Working Committees as may be necessary to effectively implement the Management Plan.

Each Technical Working Committee shall be composed of five (5) members whose membership comes from the PAMB *en banc*. The PAMB *en banc* shall designate or select the members for each Committee based on relevant experience, expertise and qualifications. The members shall select from among themselves the Chairperson of their respective Committees who may not necessarily come from the Executive Committee. The PAMB may invite other experts, representatives from other organizations to participate in the work of the Committee, as deemed necessary.

In establishing said Committees, the PAMBs concerned should examine which Committees are relevant to their work, and the scope of responsibilities of each. PAMBs may also create other Committees, as necessary.

The following are the examples of Technical Working Committees that the PAMB *en banc* may create:

a. *Committee on Biodiversity Conservation and Monitoring*

This Committee is tasked to:

1. Review studies/researches that are necessary for management planning and monitoring;
2. Recommend actions needed to address threats, issues and concerns identified in the PA Management Plan;
3. Review, evaluate and recommend proposals on biodiversity-related researches by other institutions and individuals;
4. Facilitate linkages with the academe, research institutions, and organizations to carry out relevant studies and researches on biodiversity;
5. Review BMS reports and make recommendations to PAMB, LGUs and concerned stakeholders;
6. Recommend policy guidelines on allowable resource uses;
7. Facilitate the preparation and review of biodiversity status report as input to the State of PA Report;
8. Provide practical and technical support for the conservation and management of wildlife, ecosystems, habitats and landscapes, including the restoration and rehabilitation of degraded sites and control and eradication of invasive alien species within the PA;
9. Coordinate and monitor continuing researches on biodiversity, natural resources, habitat and species that may be undertaken by local and international institutions;
10. Review, evaluate, and recommend measures to rehabilitate degraded and denuded areas and to protect habitat and species.

b. *Committee on Community Management*

The main function of this Committee is to formulate policies and guidelines on working with and supporting local communities whose lives and livelihoods interact with the protected area. It focuses on activities that would normally take place within the context of the management plan and conservation objectives of the PA, often in the buffer or multiple-use zones. The Committee will also look into the

broader benefits of the protected area such as disaster risk reduction and climate change mitigation.

The specific functions of this Committee are as follows:

1. Review and recommend the issuance of Certificates of Recognition for tenured migrants;
2. Review and recommend appropriate action on applications for Protected Area Community-Based Resources Management Agreement (PACBRMA);
3. Recommend policies and regulations on the sustainable use of resources and equitable sharing of benefits derived from use of resources;
4. Review and recommend appropriate action on the Community Resource Management Plan (CRMP); and
5. In collaboration with the Committee on Sustainable Financing and Ecotourism, ensure the involvement of host communities in ecotourism development.

c. *Committee on Ecotourism Development*

This Committee is responsible for recommending policies and measures for promoting ecotourism activities, including monitoring and addressing the impacts of said activities. Specifically, this Committee is tasked to:

1. Review the Ecotourism Management Plan in coordination with the Regional Ecotourism Committee;
2. Monitor progress and evaluate implementation of the Ecotourism Plan;
3. Coordinate and facilitate the development of marketing strategy for potential donors/investors for the implementation of the said Plan;
4. Review, evaluate and recommend proposals for development like construction of visitor facilities, trails and roads, water system inside protected area;
5. Ensure that all facilities for visitor and ecotourism such as trails, and path walks, viewing decks, camping grounds and picnic areas, tree houses and shed housee, and water system, among others, are in accordance with the standard design and

specifications prescribed in DAO 2009-09 and other relevant issuances;

6. Coordinate and review the visitor management program to ensure the inclusion of measures for prevention, reduction, or mitigation of visitor impact in the protected area; and
7. Review and revise visitors' regulations in recreational/ecotourism sites such as but not limited to the following:
 - a. Proper briefing for visitors about the PA values and benefits and that related activities should not impair resources and their values;
 - b. Appropriate training and accreditation of porters and guides;
 - c. Requiring all visitors including mountaineers and mountain climbers intending to do trekking to be accompanied by a duly accredited porter or guide;
 - d. Registration and securing of permits for all visitors and guests in designated centers of the Park; and
 - e. Requiring all visitors to follow the "carry-in-carry-out" policy on waste management and to observe proper sanitation and behavior.

d. *Committee on Sustainable Financing*

This Committee is tasked to oversee the analysis of financial information, financial and resource planning, and identification and mobilization of resources to implement the PA Management Plan.

Specifically, the Committee shall:

1. Review the PA Management Plan, particularly in relation to its Financial Plan;
2. In coordination with other PAMB Technical Working Committees and other stakeholders, provide support in the mobilization of additional resources to implement the PA Management Plan;
3. Coordinate and facilitate the development of marketing strategy for potential donors/investors for the implementation of the Financial Plan; and

4. Monitor progress and evaluate implementation of the Annual Work and Financial Plan

e. *Committee on Law Enforcement*

This Committee is tasked to:

1. Recommend measures to address threats, issues and concerns related, but not limited to resource use conflicts;
2. Monitor and report to the community on the enforcement and compliance with agreed upon rules and regulations to protect species or habitat;
3. Review the threats and sources of threats to biodiversity resources and ecosystems of the PA as well as location of exits, entry and routes to the protected area;
4. Review policies and regulations on acceptable/allowable activities, including safety protocols on the activities of permitted hunters, gatherers of timber and non-timber forest products, pasture land owners, farmers, traders, officers and staff other government facilities, school children and youth, barangay officials and other residents of the communities inside and around the protected area;
5. Formulate coordinating mechanism/arrangements with local communities to prevent illegal activities, in dealing with violators, seizure or confiscation and preservation of evidence, in cases of violations;
6. Facilitate and coordinate the formulation, approval and implementation of the Protected Area Protection Plan in collaboration with the Protected Area Law Enforcement Team, law enforcement and regulating agencies such the police, military, and members of the judiciary, LGU (Sanggunian Barangay) representatives, resources users and residents of the communities inside and around the protected area;
7. Recommend the deputation of volunteers for protection and enforcement and coordinate their training and subsequent deployment; and
8. Monitor and review reports of compliance of deputized Environment and Natural Resources Officers, volunteers and stakeholders with the PA Protection Plan.

f. *Committee on Communication, Education and Public Awareness and Partnership Development*

This Committee is in charge of formulation of policies, guidelines and programs on communication of information about the protected area to target audiences. This Committee shall have the following functions:

1. Review reports and findings of related studies and research conducted in the protected area as to the goals and objectives, messages and themes; identify target groups; and specify appropriate media for nature interpretation;
2. Review plan and design interpretive or information exhibits/signs such as panels, educational and interactive displays, and review the use and application of a wide range of interpretive media/materials/techniques;
3. Coordinate and facilitate the selection of key species and habitat, messages and themes, and appropriate media for nature interpretation and the preparation of Nature Interpretation Plan of the protected area;
4. Review the nature interpretation kits and packages for distribution to visitors and the general public;
5. Review and monitor the implementation of Nature Interpretation Program, including the training of visitor/tourist guides of the protected area;
6. Formulate the Communication, Education and Public Awareness Program/Plan; and
7. Coordinate with the media and other organizations in securing support for the implementation of the Communication, Education and Public Awareness Program/Plan.

Secretariat

The PASu and staff shall serve as Secretariat to the PAMB *en banc*, the Executive Committee and the Technical Working Committees. As Secretariat, the following functions and responsibilities shall be performed:

1. Prepare and give notices of meetings;
2. Provide administrative support in the conduct of the meeting;
3. Record the meeting proceedings and produce the minutes before the

conduct of next meeting;

4. Serve as the custodian of all records, correspondence, plans, files and other documents of the PAMB and the Executive Committee;
5. Manage the Integrated Protected Area Fund (IPAF) of the PAMB; and
6. Perform other related functions that may be assigned by the PAMB En-Banc and Executive Committee

FUNCTIONAL RELATIONSHIP BETWEEN THE DENR AND THE PAMB

The DENR exercises overall control and administration of the NIPAS at the national level, while the PAMB exercises management prerogatives at the site level consistent with existing laws, rules and regulations. This decentralization and participatory decision-making are in accordance with the the policy statement in the NIPAS Act that the effective administration of protected areas is possible only through cooperation among the national government, local governments and concerned private organizations. The Revised IRR of the NIPAS Act clearly illustrates the site-specific functions of the PAMB, which to a certain extent are delegated authorities of the DENR Secretary .

The RD shall review the decisions of the PAMB, in his/her capacity as DENR Officer, to ensure that these are consistent with relevant laws, rules and regulations. The RD shall record his/her recommendations to the Secretary, through the BMB, on all decisions or resolutions made by the Board.

All PAMB decisions are subject to the DENR Secretary's power to review all plans and proposals for the management of protected areas. The DENR Secretary shall ensure that the PAMB's decisions and actions are in accordance with the PA Management Plan, the NIPAS Act and its Implementing Rules and Regulation, and other relevant rules and regulations. He/she can reverse or modify a decision of the PAMB only on grounds that the same violates existing laws, rules and regulations, or is inconsistent with the management plan.

PROTECTED AREA OFFICE AND FUNCTIONS

Upon the recommendation of the PAMB, the DENR RD shall designate or appoint the PASu to supervise the activities of the PA Office and staff. The RD may also designate the PENRO or CENRO as concurrent PASu where the protected area encompasses substantially or whole of the jurisdiction of the CENRO or PENRO.

The PASu shall be primarily accountable to the PAMB and the DENR for the implementation of the PA Management Plan and operations of the

protected area. In this regard, the PASu shall have the following specific duties and responsibilities:

1. Enforce rules and regulations to protect the area from trespassing, damage, vandalism and illegal occupancy as well as take custody in case of seizure the apprehended items/products;
2. Issue permits for the use of facilities and amenities except for those considered as special uses as defined under the revised NIPAS IRR;
3. Issue certification on whether the proposed activity/project is allowable or not within the management zones;
4. Issue cutting permit for planted trees for a volume of up to five (5) cubic meters per applicant per year for traditional and subsistence uses by ICCs/IPs and tenured migrants only. Provided, that PACBRMA holders with affirmed Community Resource Management Plan (CRMP) shall no longer be issued cutting permits. Provided further, that the total volume of extraction does not exceed the limit set by the PAMB and the location of extraction is within the appropriate site within the multiple use zone;
5. Issue Certificate of Origin and/or transport permits for natural resources and other products collected/gathered from the protected area in accordance with the resource use instruments/agreements or Gratuitous Permits issued by the PAMB and/or the DENR;
6. Submit Quarterly Progress Reports to the PAMB;
7. Serve as Head Secretariat to the PAMB and its Executive Committee;
8. Collect and/or receive pertinent fees, charges, donations and other income for the protected area. Provided, that such fees, charges, donations and other income collected/received shall be reported regularly to the PAMB in accordance with existing guidelines;
9. Prepare and recommend to the PAMB approval of the Annual Work and Financial Plans of the protected area based on the Initial PA Plan or the PA Management Plan;
10. Develop management information system to ensure that relevant and updated information are available for planning, monitoring and decision-making; and
11. Perform other relevant functions that the RD or PAMB may delegate.

The PASu shall be assisted by technical and support staff to perform the day to day management, protection and administration of the protected

area. The PASu may delegate some of the functions and responsibilities of the PASu to the PA staff.

PAMB OPERATING SYSTEM

REGULAR AND SPECIAL MEETINGS

Regular Meetings

The PAMB *en banc* shall meet at least twice a year while the Executive Committee and the Technical Working Committees shall meet quarterly. The PASu, as Secretariat of the PAMB, shall send notice of regular meeting, signed by the PAMB Chairperson, to all PAMB members at least ten (10) working days prior to the scheduled meeting. The notice of the regular meeting shall contain the date, time, venue, provisional agenda and pertinent documents, such as minutes of the previous meeting.

Special Meetings

The Chair of the PAMB may convene special meetings in case there is a need to resolve urgent concerns. In the same manner, the Chair of the Technical Working Committee may convene a special Committee meeting to address urgent concerns. The PASu shall send notice of special meeting, signed by the PAMB Chairperson or Technical Working Committee Chair allowing sufficient time for the members to attend.

The PAMB Chair may invite as resource persons other DENR Officers, representatives of other national government agencies, civil society and individual experts, who may be able to provide relevant inputs in the meeting.

Quorum

A majority of the appointed PAMB members shall constitute a quorum (50%+1) to proceed with official business. Representatives to the meeting of the appointed PAMB members shall be considered in determining the quorum when that representative has written authority from the appointed member to represent him/her in the meeting.

The quorum shall be determined through a roll call of all those in attendance and the Presiding Officer shall announce the presence of a quorum.

In case of lack of quorum, the meeting may proceed to discuss the agenda. However, final decisions shall be suspended until the next meeting.

Agenda of the Meeting

The PASu shall recommend the provisional agenda of the meeting to the Chair based on pressing issues and concerns of the protected area. Matters arising from the previous meeting shall be included in the agenda. The agenda should also include updates from the Technical Working Committees.

Any member of the PAMB may further propose additional items to the provisional agenda. The calendar of business for regular PAMB Meetings are as follows:

1. Approval of the Provisional Agenda
2. Reading and approval of the Minutes and matters arising from the previous meeting
3. Specific agenda items for discussion
4. Status of existing programs (i.e. annual WFP viz 5-year implementation plan) and projects
5. Technical Working Committee Reports, as applicable
6. Other Matters

Presiding Officer

The concerned DENR RD, as Chair of the PAMB, shall preside during PAMB meetings. In the absence of the PAMB Chair during meetings, the members by highest number of votes of those in attendance, shall choose from among themselves a Presiding Officer. Only duly appointed PAMB members shall be voted as Presiding Officer.

Conduct of Meeting

The Presiding Officer shall call the meeting to order and determine, through a roll call of all those in attendance, and announce the presence of a quorum. The Presiding Officer shall present the provisional agenda for the meeting, which shall be adopted by a motion and duly seconded.

The PASu shall ensure that the attendance of members is properly documented.

PREPARATION AND APPROVAL OF MINUTES OF MEETING AND RESOLUTIONS

The Secretariat shall keep the minutes of the proceedings, which shall comprise a concise, brief, and exact account of the business transacted and actions taken thereon. The minutes must clearly indicate the following:

1. Nature of the meeting, whether regular or special, and if special, a copy of the call for such meeting;
2. Date, time, and place of the meeting;
3. Names of members present and absent, including the organization represented;
4. Whether the minutes of the previous meetings were read and approved, citing corrections, if any;
5. Every resolution in full, if the resolution was approved unanimously, and a brief statement of the minority opinion;
6. Nominal voting; and
7. Time of adjournment.

The minutes of every meeting shall be read and approved by a majority of the PAMB members present at the meeting at which they are read, and if necessary corrected by the same vote or by general consent. The reading of the Minutes shall not be interrupted or suspended except by unanimous consent of the body.

The Minutes of meeting shall be prepared by the PASu as Secretariat to the PAMB and approved by the PAMB Chair. In case the PAMB Chair is not the Presiding Officer, minutes of meeting shall be approved by the Presiding Officer and affirmed by the PAMB Chair.

All decisions of the Board shall be duly documented as PAMB Resolutions. Copy of the minutes of PAMB meetings and Resolutions shall be submitted to the DENR RD within seven (7) working days of the meeting and be furnished to the BMB promptly.

ADOPTION OF PAMB RESOLUTIONS AND ISSUANCE OF CLEARANCES

The RD as PAMB Chair shall issue resolutions manifesting the decisions of the PAMB on site level management of the concerned protected area. He/she shall pay particular attention to DAO 2008-26 (Revised NIPAS Act IRR) on the duty of the PAMB Chair to provide technical guidance in the

management of the area. The resolutions and clearances issued by the PAMB must be consistent with the NIPAS Act and the Management Plan. The PAMB members are expected to be knowledgeable of the Management Plan so that decisions that may be made will support the objectives of that plan. All PAMB members or Exe-Com members making the decisions must also be given full documentation of what they are deciding on, in hard and electronic format.

The PAMB may adopt checklists, procedures or questionnaires derived from the NIPAS Act, site specific law, if passed already, and the Management Plan of each protected area that outlines the terms under which the decision should be made. This will guide its members in such decision-making.

PAMB PROCEDURES BASED ON ITS RESPONSIBILITY AND FUNCTIONS

Development of Policies and Guidelines

1. Any PAMB member and/or the PASu may suggest any policy and/or guidelines within the bounds of PAMB authority, as provided for in the NIPAS Act and its Implementing Rules and Regulations during PAMB meetings. The Chair/Presiding Officer may refer the proposed policy to the appropriate Technical Working Committee for review, deliberation, and submission of recommendations;
2. The concerned Technical Working Committee shall evaluate the proposed policy as to its merits and conformity with the NIPAS Act and related laws, rules and regulations. The Committee shall thoroughly study the proposal and, where necessary, gather relevant information for the enhancement of the proposed guidelines;
3. The Technical Working Committee shall submit the proposed policy or guidelines to the PAMB for deliberation and approval;
4. All policies and regulations passed by the PAMB shall be in accordance with existing laws, rules and regulations;
5. The approved policy shall be disseminated for public information;
6. The PASu shall implement all the policies or regulations passed by the PAMB and make periodic reports on their implementation to the PAMB; and
7. The PAMB shall monitor the implementation of all policies or guidelines it has issued, and make necessary amendments of such policies if the situation and circumstances warrant.

Approval of Plans, Programs and Projects

Approval of Management Plan

Upon completion of the planning and drafting process of the Management Plan, the PASu shall present the Plan to the PAMB for approval or further action. The PAMB approved Management Plan shall be forwarded to the Office of the Secretary through the RD and BMB. The Management Plan endorsed by the PAMB is deemed approved unless there is a formal written disapproval from the Secretary on the ground of inconsistency with existing laws and related rules and regulations.

The PAMB shall review and update the PA Management Plan at least every five (5) years. Any modification or revision of the PA Management Plan shall follow the requirements provided in the Revised IRR of the NIPAS Act.

Approval of Programs and Projects

In case of requests for the conduct of any activity within the PA, the PASu shall initially evaluate such requests to determine its conformity with the PA Management Plan, NIPAS Act and its implementing guidelines, and policies issued by the PAMB. Applications found to be inconsistent with the said policies shall be immediately referred back to the proponent.

All proposals/projects deemed acceptable shall then be deliberated during PAMB meetings for appropriate action. The PASu shall notify in writing the proponent of the decision rendered by the PAMB.

The PASu shall conduct regular monitoring of the implementation of the approved activity or project and report the same to the PAMB.

PA Boundary and Management Zones Delineation and Demarcation

The PAMB shall facilitate the ground delineation of the boundaries of the protected area and ensure that the PA is properly demarcated. The PAMB shall also facilitate the delineation of management zones of the protected area to serve as input to the PA Management Plan. Any modification of the management zones shall be supported by scientific data/information.

Interface of PA Management Plan with the Ancestral Domain Sustainable Development and Protection Plan, and Indigenous Community Conserved Area and Community Conservation Plan

The PAMB shall supervise the formulation, review and updating of the Management Plan to ensure its interface with the ADSPP, ICCA and Community Conservation Plan and other relevant plans. The PAMB thru PASu shall coordinate with NCIP, concerned IP groups and other relevant stakeholders in this process and subsequent implementation of the said PA Management Plan.

Recognition of Tenured Migrants, Land Tenure, and Conflict Resolution

1. Following the Socio-economic Assessment and Monitoring System (SEAMS), the SEAMS Team shall identify both the qualified tenured migrants and the non-tenured migrants, and the PASu shall cause the posting of the list in conspicuous places in community/barangay and LGU centers;
2. The PAMB shall review the list of PA occupants and recommend the recognition of tenured migrants. The DENR Regional Director shall issue Certificates of Recognition to all tenured migrants necessary for applying for tenurial instruments. The PAMB shall recommend to the DENR Secretary the awarding of PACBRMA and/or other tenurial instruments to qualified Peoples Organizations (POs);
3. The PAMB shall review the Community-based Resource Management Program (CBRMP) of the people's organization to ensure that this is consistent with the PA Management Plan;
4. In case of violation of the terms and conditions of PACBRMA and/or other tenurial instruments, the PAMB shall recommend appropriate action as may be warranted in accordance with existing laws, rules and regulations; and
5. In the event that conflicts related to the activity may arise, the PASu shall coordinate with the PAMB to facilitate the conflict resolution.

Sustainable Financing

To the extent feasible, the PAMB shall facilitate the generation of resources to effectively manage the protected area, in addition to the annual budget allocated for protected areas by the DENR. Relative to this and based on existing laws and guidelines, the PAMB shall:

1. Review and approve the Management Plan including the Financial Plan;
2. Develop a marketing strategy to secure funding for the implementation of the approved Management Plan/Financial Plan;
3. Review the Annual Work and Financial Plan and recommend its approval by the RD for the release of budget from the General Fund and IPAF;
4. Review and recommend the utilization of PA-Retention Income Account or IPAF-Special Account in the General Fund;
5. Recommend policies on user and other fees for access to and sustainable utilization of resources.

Monitoring and Evaluation

Based on the PA Management Plan, the PAMB shall facilitate the preparation of an M and E Plan for the PA, specifying the indicators for monitoring progress and evaluation of outcomes, the special studies required to investigate emerging impacts; and the responsibilities of various actors in M and E.

The PAMB shall also conduct periodic assessments to review effectiveness of its operations and management; and identify areas for improving the management of the PA.

ADMINISTRATIVE OPERATION

The PAMB shall have its official station at _____ (***Please indicate the location or address and contact nos.including email/FB address, if any. Include also hotline in case of emergency.***).

The PAMB shall pass a resolution designating its official station and where communications addressed to the Chair may be submitted. It is advisable that the Office of the PASu shall also be the designated official station of the PAMB.

FUNDING SOURCES AND FINANCIAL ADMINISTRATION

Sources of Fund

The following are the possible sources of funds to support the operations of the protected area:

1. Initial Protected Area Fund (IPAF) – shall be derived from the following sources:
 - a. Fees from the permitted sale and export of flora and fauna and other resources from protected areas;
 - b. Proceeds from lease of multiple-use zones;
 - c. Contributions from industries and facilities directly benefiting from the protected area; and
 - d. Other fees and incomes derived from the operation of the protected area
2. Government subsidies thru the General Appropriations
3. Assistance from donor agencies/development partners/civil society organizations through foreign and special programs and projects

4. Assistance from national agencies and concerned local government units

Basis of Fees and Charges

DAO 2000-51 and DAO 2016-24 and other policies that may be subsequently issued shall be the bases in determining the amount of fees and charges to be collected for the use of the protected area and other relevant services.

Management of the Integrated Protected Area Fund (IPAF)

Each protected area should establish a Special Account for the IPAF pursuant to Section 16 of the NIPAS Act as amended by RA 10629. Seventy-five (75%) of the revenues generated by the protected area shall be retained and deposited in authorized government depository bank as PA-Retention Income Account (PA-RIA). The 25% of the revenues shall be deposited as IPAF-Special Account in the General Fund (SAGF) to the Bureau of Treasury (BTr). The IPAF shall be used solely for the protection, maintenance, administration and management of the protected areas.

The PASu shall be the IPAF Manager and is responsible for the collection of fees, charges, grants and contributions for the protected area. He/she is also responsible for depositing the collected amount in the Special Account created under existing regulations.

The PAMB shall monitor the collection and the utilization of protected area funds. It shall ensure that the utilization of the funds is in accordance with the approved PA Management Plan and Annual Work and Financial Plan.

REVIEW AND UPDATING OF THE MANUAL

The Management Board through the PASu may initiate the review and updating of the Manual of Operations as the Management Board deemed it necessary. Should the PAMB decide to update its Operations Manual, it shall then issue the corresponding Resolution.