



SUBJECT: CLARIFYING THE REVENUE-SHARING SCHEME BETWEEN PROTECTED AREA MANAGEMENT BOARDS (PAMBs) AND LOCAL GOVERNMENT UNITS (LGUs) WITH INVESTMENTS IN PROTECTED AREAS

Pursuant to Section 10 of RA 7586 otherwise known as the National Integrated Protected Areas System (NIPAS) Act of 1992 and Rule 11.1.8 of DAO 2008-26, the Revised Implementing Rules and Regulations of the Act and in consideration of the investments or the significant contributions of local government units in protected areas, this guidelines is hereby issued for the guidance of all concerned.

The sharing of revenues between PAMBs and LGUs with investments or significant contributions in protected areas shall be guided by the following principles:

1. The LGU having a significant contributions in the PA shall be considered as partner in the management protected areas pursuant to Section 10 h of RA 7586.
2. Contributions may include construction/installation within the protected area of facilities such as pavilion, multi-purpose hall picnic sheds, cottages, trails, water system, and power system, among others.
3. The LGU may be given a share in the revenues from the use of the said facilities at a rate mutually acceptable to and determined by both parties subject to the following conditions:
 - i. The rate shall be fixed in the amount that will allow the LGU to recover the investment at the term/duration as may be agreed by both parties and based on the actual amount spent in the construction of the facility/ies as certified by the Accountant of the LGU;
 - ii. An interest on the investment can only be included if the investment is borrowed from a lending institution, at the rate charged by the lender;
 - iii. Only the Special Collection Officer of the protected area designated by the DENR may collect visitor/users' fee;
 - iv. After the end of the agreed term, all the revenues shall accrue only to the IPAF for the exclusive use of the protected area; and
 - v. The undertaking shall be covered by a MOA between the PAMB Chair and the Local Chief Executive.

4. LGUs may at any time, voluntarily waive their right to recover their investments and donate the facilities without prejudice to certain privileges that the LGUs may enjoy out of their investment.

This Technical Bulletin is circulated for the guidance and information of all concerned.



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