

REPUBLIC OF THE PHILIPPINES }
SIXTEENTH CONGRESS }
First Regular Session }



HOUSE OF REPRESENTATIVES

House Bill No. 2713

Introduced by **Hon. Joselito R. Mendoza**

EXPLANATORY NOTE

The proposed bill seeks to reinstate the area of Biak na Bato National Park (BNBNP) into its original area of 2,117 hectares as declared by President Manuel L. Quezon through Proclamation No. 223 on November 6, 1937 in recognition of its contribution to the Philippine Revolution.

The boundaries of the park was significantly redefined by the subsequent presidential proclamation of formers presidents Ferdinand E. Marcos and Corazon C. Aquino. Presidential Proclamation No. 2204 issued by then President Ferdinand E. Marcos segregated the 330.3062 hectares from the original area of 2,117 hectares and opened the area for exploration and mining. Former President Corazon Aquino by virtue of Proclamation No. 401, further redefined the boundaries and reduced the original area to 659.4497 hectares. By virtue of these subsequent executive acts, portion of the national park was also made available for mining operations. Thus, large scale mining operators were able to secure permit to commence mining activities in the area of subject historical landmark, despite the prohibition of Section 15, Article XIV of the 1987 Philippine Constitution which states that " The state shall conserve, promote, and popularize the nation's historical and cultural heritage and resources as well as artistic creations." Section 16 of the same article provides that " All the country's artistic and historical wealth constitutes the cultural treasure of the nation and shall be under the protection of the State which may regulate its disposition."

In 1998, Republic Act No. 8546 was enacted declaring the Biak-na-Bato National Park as a historical shrine and major tourist attraction.

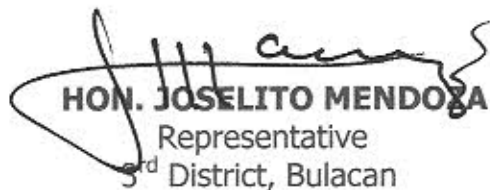
Pursuant to the intent of the said law, Non- government organizations, including environmentalists and local governments initiated all form of protest to stop the irrational exploration and desecration of the Biak na Bato National Park.

However, mining operators were still granted large scale mining permit after complying with the basic requirements of the Mining Act of 1995.

There were also reports, as validated by the Provincial Environment and Natural Resource Office (PENRO) that large scale mining operators have been conducting their mining activities beyond the area specified on their mining permit, worst, exploring on the buffer zones and boundaries of the national park.

In order to preserve and to prevent further desecration of this significant national and historical landmark, and to put things in the right perspective within the declared policy as enunciated in the provision of the fundamental law of the land, there is an extreme necessity to reinstate the original area of Biak na Bato National Park as defined and/or provided for under Presidential Proclamation No. 223 dated November 6, 1937.

In view of the foregoing premises, immediate approval of this Bill is hereby respectfully sought.


HON. JOSELITO MENDOZA
Representative
3rd District, Bulacan

Republic of the Philippines
HOUSE OF REPRESENTATIVES
QUEZON CITY

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 2713

Introduced by **Honorable Joselito R. Mendoza**

AN ACT

REINSTATING THE ORIGINAL AREA OF THE HISTORICAL BIAK-NA-BATO NATIONAL PARK (BNBNP) IN THE MUNICIPALITY OF SAN MIGUEL, PROVINCE OF BULACAN, REPEALING FOR THE PURPOSE PRESIDENTIAL PROCLAMATION NOS. 401 AND 2204, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. Reinstatement of the Original Area of the Biak-na-Bato National Park.- The Biak-na-Bato National Park (BNBP) is hereby reinstated to its original area, comprising of Two Thousand One Hundred Seventeen (2,117) hectares as first defined and fix by then President Manuel L. Quezon by virtue of Presidential Proclamation No. 223, covering Barangay Sibul and Biak-na-Bato of the Municipality of San Miguel and Barangay Kalawakan of the Municipality of Doña Remedios Trinidad, Province of Bulacan.

SECTION 2. Protection of the Biak-na-Bato National Park.- As national park, the entire area of two Thousand One Hundred Seventeen (2,117) hectares of BNBNP shall be governed by the provisions of Republic Act No. 7568, otherwise known as the National Integrated Protected Area System Act of 1992."

SECTION 3. Prohibited Acts.- The following acts shall be prohibited within the Biak-na-Bato National Park:

- a. Exploring and extracting mineral resources;
- b. Cutting, gathering, removing or collecting timber or any forest products without the necessary permit, authorization or exemption issued by concerned government agency;
- c. Hunting, taking, disturbing or possessing flora and fauna or products derived therefrom;
- d. Putting up any kind of permanent or temporary structure, which does not contribute to the preservation and protection of the park;
- e. Engaging in kaingin or slash-and-burn farming or any activity that causes forest fire;
- f. Vandalizing any part of the park; and
- g. Committing any other similar acts.

SECTION 4. Penal Provision.- A fine of not less than Fifty Thousand Pesos (50,000.00) or imprisonment of not less than six (6) years but not more than twelve (12) years, or both, upon discretion of the court shall be imposed for acts committed in violation of paragraphs (a), (b), and (c) of Section 3 hereof.

A fine of not less than Twenty Thousand Pesos (20,000.00) or imprisonment of not less than four (4) years but not more than six (6) years, or both, upon discretion of the court, and the restoration and rehabilitation of the area, shall be imposed for acts committed in violation of paragraphs (d), (e), (f), and (g) of Section 8 hereof.

SECTION 5. Separability Clause.- If any provision of this Act shall be declared invalid or held unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be valid and effective.

SECTION 6. Repealing Clause.- This Act repeals Presidential Proclamations, rules and regulations which are inconsistent with the provision of this Act are hereby repealed and modified accordingly;

SECTION 7. Effectivity.- The Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of General circulation

Approved,