



Republic of the Philippines
Department of Environment and Natural Resources
Visayas Avenue, Diliman, Quezon City
Tel Nos. 929-6626 to 29; 929-6633 to 35
926-7041 to 43; 929-6252; 929-1669
Website: <http://www.denr.gov.ph> / E-mail: web@denrgov.ph

MEMORANDUM

TO : **The Directors**
Biodiversity Management Bureau
Environmental Management Bureau
Forest Management Bureau
Mines and Geosciences Bureau
Ecosystems Research and Development Bureau
Land Management Bureau
Legal Affairs Service
Climate Change Service

FROM : The Assistant Secretary for Policy, Planning and Foreign Assisted and Special Projects, *and* **Chairperson, DENR Trade Focal Group**

SUBJECT : **REQUEST FOR COMMENTS/ INPUTS ON THE DRAFT SPECIAL ORDER ON THE RECOMPOSED DENR TRADE FOCAL GROUP AND DRAFT NEGATIVE LIST FOR ENVIRONMENTAL SERVICES UNDER THE RCEP AGREEMENT**

DATE : 23 DEC 2022

This pertains to the agreement during the DENR Trade Focal Group Meeting held on 25 November 2022 to: 1) subject the draft Special Order (SO) of the Recomposed DENR Trade Focal Group to vetting by the concerned Bureaus and Offices, and 2) request inputs on the draft Negative List for Environmental Services under the Regional Comprehensive Economic Partnership (RCEP) Agreement.

Draft SO on the Recomposed DENR Trade Focal Group

The draft SO shall re-compose the DENR Trade Focal Group created through SO 2019-1002 dated 09 December 2019.

The Group will convene in a meeting **bi-annually** to provide updates to DENR Officials on the current environmental trade-related issues which may arise during trade negotiations or regular inter-agency meetings. The Members are also expected to provide appropriate environmental trade-related data, information, or position that may be requested by other government agencies such as the Department of Trade and Industry (DTI), National Economic Development Authority (NEDA), etc., to address sectoral environmental trade-related issues. They are also expected to participate in trade-related meetings, trainings, workshops and related events, whenever their participation is necessary.

The following are the areas of concern that we have identified, to guide your Office in the designation of representatives to the Focal Group:

Areas of Concern	Concerned Bureau/s
Environmental Services 1) Sewage Services; 2) Refuse Disposal Services; 3) Sanitation and Similar Services; 4) Reducing Vehicle Emissions Services; 5) Noise Abatement Services; 6) Services to reduce exhaust gases and other emissions for a factory 7) Site remediation and clean-up services 8) Sweeping and snow removal services 9) Other Environmental Services	EMB
Trade in Goods Multilateral Environmental Agreements 1) Convention on International Trade in Endangered Species on Wild Fauna and Flora (CITES) 2) Montreal Protocol 3) Basel Convention 4) Convention on Biological Diversity 5) United Nations Framework Convention on Climate Change (UNFCCC) 6) Stockholm Convention on Persistent Organic Pollutants 7) Kyoto Protocol	EMB, BMB, FMB EMB, BMB, CCS
Emerging Issues - Plastic Pollution - Green investment (e.g. green metals initiative) - Circular economy - Transition to Negative List Approach in Scheduling Market Access ¹ Commitments in the Services Chapter under RCEP	EMB EMB, MGB FMB, EMB, BMB All Bureaus (Legal and/or Policy), LAS

Additionally, as agreed during the meeting, a Division Chief/ Section Chief and at least one (1) Technical Staff from the relevant Divisions/ Sections within the Bureau/ Service shall be identified to compose the Focal Group.

Draft Negative List for Environmental Services under RCEP

RCEP is a modern, comprehensive, high-quality, and mutually beneficial economic partnership agreement among the ten (10) ASEAN Member States (AMS) and five (5) of ASEAN's Free Trade Agreement (FTA) Partners namely, Australia, China, Japan, Korea, and New Zealand, that is expected to boost equitable economic growth as well as post COVID-19 pandemic recovery in the region through the expansion of trade, services and investments linkages. The Agreement was signed by the Philippines along with the abovementioned AMS and FTA partners on 15 November 2020 at the 4th RCEP Leaders' Summit. It was ratified by President Rodrigo Duterte in 02 September 2021 and is currently being subjected to a series of public hearings for the Senate's concurrence.

¹ *Market access* is an umbrella term for a number of measures that a country may use to restrict imports. (https://www.wto.org/english/tratop_e/dda_e/symp03_ahmad_e.doc)

² *Non-Conforming Measures* is any law, regulation, procedure, requirement or practice, which violates certain articles of the investment agreement. For example, a law prohibiting an investor of another member country to own a factory does not conform with the article on national treatment. (http://www.sice.oas.org/dictionary/in_e.asp#:~:text=A%20non%2Dconforming%20measure%20is,the%20article%20on%20national%20treatment)

In accordance with Article 8.12 (Transition) of the RCEP Agreement which was signed on 15 November 2020, the Philippines should submit a Negative List (Schedule of Non-Conforming Measures²) within a 6-year time frame upon entry-into-force of the RCEP.

The following are the Department's commitments under the Trade in Services Chapter of the RCEP Agreement, which are based on existing ASEAN+1 FTAs:

- 1) Sewerage services (CPC 9401)
- 2) Refuse disposal services (CPC 94020**)
- 3) Sanitation and similar services limited to hail-clearing services (CPC 9403**)
- 4) Services to reduce exhaust gases and other emissions for a factory (CPC 9404)
- 5) Site remediation and clean-up services (CPC 9441)
- 6) Sweeping and snow removal services (CPC 9451)

The Department of Trade and Industry (DTI) has initiated discussions on the formulation of the Negative List under RCEP Trade in Services Chapter. As a form of assistance to the Department, DTI has sent resource persons to the workshops initiated by this Office in 2019 and just recently this year, to capacitate technical personnel in scheduling market access commitments using the Negative List Approach for offers under Environmental Services.

The Department has initially submitted to DTI the draft Negative List for Environmental Services in 2019, following the conduct of a Workshop in the same year. In light of the new laws and policies that were issued since then, the draft Negative List was again subjected to a Workshop in October this year. DTI will be conducting a workshop on the finalization of the Negative List on January 2023.

In this regard, we would like to request for your: 1) nomination of representatives to the recomposed DENR Trade Focal Group (kindly provide their details in the matrix found in Annex A), and 2) comments/ inputs on the latest draft Negative List which was the Break-out Session output during the recently conducted *Workshop on Trade in Environmental Goods and Services* (Annex) or through this link: <https://bit.ly/3YyfVYX>.

We have also provided as Annex C, a guide/ instruction on how to fill-up the Breakout Session Output Document. Attached also is a briefer on the various Trade-related Inter-Agency Committees/ Bodies with DENR involvement, as discussed during the DENR Trade Focal Group Meeting last 25 November 2022, for your reference.

We would appreciate receiving an advance copy of your nomination and inputs by **29 December 2022**, through this e-mail address: psdivision@gmail.com, copy furnished policy@denr.gov.ph. For any questions or clarifications, you may contact the Policy Studies Division through phone numbers: 8925-1183 or 09081314604 (Viber-activated).

For your appropriate action, please.


MARCIAL C. AMARO, JR., CESO II

cc: The Undersecretary for Policy, Planning and International Affairs

ANNEX A

Name	Position	Office	Phone Number (viber-activated)	E- mail	Field of Expertise related to Trade/ Areas of concern
Aleandrino R. Sibucan Jr.	Chief/ Economist IV	FMB - Forest Economics Section, Forest Policy, Planning and Knowledge Management Division	8920-8650	aleandrino.sibucan@gmail.com	Trade in Goods; RCEP; Import Data Exchange to Measure FTA Utilization
For. Norlito P. Sarmiento	Chief	FMB - Forest Investment Promotion Section, Forest Investment Development Division	8927-6229	fmbfidd.fipa@gmail.com	RCEP
For. Aloysius R. Revilla	Officer-in-charge, Forest Investment Packaging Section	FMB - Forest Investment Development Division (FIDD)	8927-6229	revilla.alloysiusjan@gmail.com	SO 2019-1002; Import Data Exchange to Measure FTA Utilization
For. Ayesha Chennel B. Abawag	Forest Management - Specialist I	FMB - Forest Investment Promotion Section - Forest Investment Development Division	8927- 6229, 8925-2139	ayeshac.abawag@gmail.com	
Atty. Illac G. Bohol, EnP	OIC- Division Chief	LAS - Legal Crisis Prevention and Management Division	8249-3367, 8248-3367	igbohol@denr.gov.ph	
Atty. Bianca G. Pagalilauan, CPA	Attorney III, OIC Assistant Division Chief	LAS - Legal Crisis Prevention and Management Division	8249-3367, 8248-3367	bgpagalilauan@denr.gov.ph	
Ms. Angelica Anne Gallego	Senior Environmental Management Specialist	EMB - EQMD, Chemical Management Section	8539-4378 loc. 128/ 09212520385	angelica_gallego@emb.gov.ph	SO 2019-1002; Trade in Goods; For concerns on Priority Chemical List (PCL)
Mr. Roland Omar Tamani	Engineer II	EMB - EQMD, Chemical Management Section	8539-4378 loc. 128/ 09212520385	engineertamani@gmail.com	

Mr. Onofre Escota	Project Evaluation & Monitoring Officer	EMB - EQMD, Chemical management Section	85394378 loc. 128/ 09163936525	onofre_escota@emb.gov.ph	Trade in Goods; For concerns on Ozone Depleting Substances (ODS)
Mr. Irvin Cadavona	Environmental Management Specialist II	EMB - Hazardous Waste Management Section	85394378 loc. 129/ 09953806929	irvin_cadavona@emb.gov.ph	Trade in Goods; For hazardous waste management concerns
Engr. Santini Quiocson	Engineer II	EMB - Hazardous Waste Management Section	85394378 loc. 129/ 09566971719	santini_quicson@emb.gov.ph	SO 2019-1002; Trade in Goods; For hazardous waste management concerns
Ms. Belly Cabeso	Senior Environmental Management Specialist	EMB - Policy, Planning and Program Development Division	85394378 loc. 118/ 09273718257	belly_cabeso@emb.gov.ph	Trade in Goods; For trade and trade related matters
Michieko S. Sibunga	Senior Environmental Management Specialist	EMB - Environmental Quality Management Division - Water Quality Management Section	85394378 loc. 130	michiko_sibunga@emb.gov.ph	Trade In Services: Water Quality Management
					Trade In Services: Air Quality Management
Ms. Nermalie M. Lita	Supervising Ecosystems Management Specialist and Chief, WRD - Wildlife Regulation Section	BMB - Wildlife Resources Division	8925-8952 to 53	nerma_lita@yahoo.com; wrd@bmb.gov.ph	Trade in Goods; SO 2019-1002
Ms. Lorilie R. Salvador	Senior Ecosystems Management Specialist, WRD - Wildlife Regulation Section	BMB - Wildlife Resources Division	8925-8952 to 53	lorilie.salvador@bmb.gov.ph ; wrd@bmb.gov.ph	Trade in Goods

Ms. Myline O. Aparante	Supervising Science Research Specialist	ERDB	(049) 536-2269 loc 226/ 09232624155	mysaparente@gmail.com	SO 2019-1002
Engr. Reshne Jay B. Gonzaga	Sr. Science Research Specialist	MGB - Mining Tenements Management Division	8920-9131, 8667-6700 loc. 143-145 09204653267	mining.tenement@gmail.com	Trade in Goods
Ms. Diory G. Carr	Development Management Officer III	MGB - Mineral Economics, Information and Publication Division			
	8920-9131, 8667-6700 loc. 143-145, 09204653267	diory.carr@gmail.com	Trade in Goods; RCEP		
Mr. Leo Allan Halcon	Development Management Officer II	MGB - Mineral Economics, Information and Publication Division			
	8928-8310, 8667-6700 loc. 111	tenements@mgb.gov.ph; leoallan.halcon@mgb.gov.ph			
Mr. Jade Mark Santos		MGB		jademark.santos@mgb.gov.ph	
Mr. Albert Magalang	Chief	CCS- Climate Change Information and Technical Support Division	8928-1194	albertmagg@yahoo.com	Climate change

**THE FORMULATION OF THE COMPREHENSIVE PHILIPPINE RESERVATION LIST
FOR INVESTMENTS AND SERVICES
UNDER A NEGATIVE LIST TWO-ANNEX APPROACH**

Breakout Session Output Document (Environmental Services)

Name of Agency: Department of Environmental and Natural Resources (DENR)
Prepared by: DENR

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)
SEWERAGE SERVICES		
MA, PPR	The 1987 Philippine Constitution	Article XII. Section 2. All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture, or production-sharing agreements with Filipino citizens, or corporations or associations at least 60 per centum of whose capital is owned by such citizens. Such agreements may be for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and under such terms and conditions as may provided by law. In cases of water rights for irrigation, water supply, fisheries, or industrial uses other than the development of waterpower, beneficial use may be the measure and limit of the grant.

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)
MA, SMBD	The 1987 Philippine Constitution	Article XII. Section 11. No franchise, certificate, or any other form of authorization for the operation of a public utility shall be granted except to citizens of the Philippines or to corporations or associations organized under the laws of the Philippines, at least sixty per centum of whose capital is owned by such citizens; nor shall such franchise, certificate, or authorization be exclusive in character or for a longer period than fifty years. Neither shall any such franchise or right be granted except under the condition that it shall be subject to amendment, alteration, or repeal by the Congress when the common good so requires. The State shall encourage equity participation in public utilities by the general public. The participation of foreign investors in the governing body of any public utility enterprise shall be limited to their proportionate share in its capital, and all the executive and managing officers of such corporation or association must be citizens of the Philippines.
MA	Public Service Law (Commonwealth Act No. 146) as amended (Republic Act No. 2677)	Section 13. The term "public service" includes every person that now or hereafter may own, operate, manage, or control in the Philippines, for hire or compensation, with general or limited clientele, whether permanent, occasional or accidental, and done for general business purposes, any common carrier, railroad, street railway, traction railway, sub-way motor vehicle, either for freight or passenger, or both with or without fixed route and whether may be its classification, freight or carrier service of any class, express service, steamboat or steamship line, pontines, ferries, and water craft, engaged in the transportation of passengers or freight or both, [shipyard,]1 marine railways, marine repair shop, wharf or dock, [ice plant, ice-refrigeration plant,]2 canal, irrigation system, gas, electric light, heat and power water supply and power, petroleum, sewerage system , wire or wireless communications system, wire or wireless broadcasting stations and other similar public services: Provided, however, That a person engaged in agriculture, not otherwise a public service, who owns a motor vehicle and uses it personally and/or enters into a special contract whereby said motor vehicle is offered for hire or compensation to a third party or third parties engaged in agriculture, not itself or themselves a public service, for operation by the latter for a limited time and for a specific purpose directly connected with the cultivation of his or their farm, the transportation, processing, and marketing of agricultural products of such third party or third parties shall not be considered as operating a public service for the purposes of this Act.

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
MA	RA 9275, Philippine Clean Water Act of 2004	<p>SECTION 14. Discharge Permits. - The Department shall require owners or operators of facilities that discharge regulated effluents pursuant to this Act to secure a permit to discharge. The discharge permit shall be the legal authorization granted by the Department to discharge wastewater: Provided, That the discharge permit shall specify among others, the quantity and quality of effluent that said facilities are allowed to discharge into a particular water body, compliance schedule and monitoring requirement.</p> <p>As part of the permitting procedure, the Department shall encourage the adoption of waste minimization and waste treatment technologies when such technologies are deemed cost effective. The Department shall also develop procedures to relate the current water quality guideline or the projected water quality guideline of the receiving water body/ies with total pollution loadings from various sources, so that effluent quotas can be properly allocated in the discharge permits. For industries without any discharge permit, they may be given a period of twelve (12) months after the effectivity of the implementing rules and regulations promulgated pursuant to this Act, to secure a discharge permit.</p> <p>Effluent trading may be allowed per management area.</p>	
NT, MA	DAO 2016-08	<p>Water Quality Guidelines and general effluent standards</p> <p>Covers guidelines and standard for for industrial and Domestic sources based on Water bodies classification</p>	c/o EMB
NT, MA	DAO 2021-19	<p>Updated Water Quality guidelines and general effluent standards</p> <p>Covers updated standards and guidelines for Ammonia, Boron, total copper, fecal coliform, phosphate, sulfate,</p>	c/o EMB
NT, MA	RA 9275 Clean Water Act	Section 16. Clean-up Operations	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>Notwithstanding the provisions of Sections 15 and 26 hereof, any person who causes pollution in or pollutes water bodies in excess of the applicable and prevailing standards shall be responsible to contain, remove and clean-up any pollution incident at his own expense to the extent that the same water bodies have been rendered unfit for utilization and beneficial use: Provided, That in the event emergency clean-up operations are necessary and the polluter fails to immediately undertake the same, the Department, in coordination with other government agencies concerned, shall conduct containment, removal and clean-up operations.</p> <p>Expenses incurred in said operations shall be reimbursed by the persons found to have caused such pollution upon proper administrative determination in accordance with this Act. Reimbursements of the cost incurred shall be made to the Water Quality Management Fund or to such other funds where said disbursements were sourced.</p> <p>Section 28 - Fines and Penalties</p> <p>Unless otherwise provided herein, any person who commits any of the prohibited acts provided in the immediately preceding section or violates any of the provision of this Act or its implementing rules and regulations, shall be fined by the Secretary, upon the recommendation of the PAB in the amount of not less than Ten thousand pesos (P10,000.00) nor more than Two hundred thousand pesos (P200,000.00) for every day of violation. The fines herein prescribed shall be increased by ten percent (10%) every two (2) years to compensate for inflation and to maintain the deterrent function of such fines: Provided, That the Secretary, upon recommendation of the PAB may order the closure, suspension of development or construction, or cessation of operations or, where appropriate disconnection of water supply, until such time that proper environmental safeguards are put in place and/or compliance with this Act or its rules and regulations are undertaken. This paragraph shall be without prejudice to the issuance of an ex parte order for such closure, suspension of development or construction, or cessation of operations during the pendency of the case.</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)
		<p>Failure to undertake clean-up operations, willfully, or through gross negligence, shall be punished by imprisonment of not less than two (2) years and not more than four (4) years and a fine not less than Fifty thousand pesos (P50,000.00) and not more than One hundred thousand pesos (P100,000.00) per day for each day of violation. Such failure or refusal which results in serious injury or loss of life and/or irreversible water contamination of surface, ground, coastal and marine water shall be punished with imprisonment of not less than six (6) years and one (1) day and not more than twelve (12) years, and a fine of Five hundred thousand pesos (P500,000.00) per day for each day during which the omission and/or contamination continues. In case of gross violation of this Act, the PAB shall issue a resolution recommending that the proper government agencies file criminal charges against the violators.</p> <p>Gross violation shall mean any of the following:</p> <ul style="list-style-type: none"> (a) deliberate discharge of toxic pollutants identified pursuant to Republic Act No. 6969 in toxic amounts; (b) five (5) or more violations within a period of two (2) years; or (c) blatant disregard of the orders of the PAB, such as the non-payment of fines, breaking of seals or operating despite the existence of an order for closure, discontinuance or cessation of operation. In which case, offenders shall be punished with a fine of not less than Five hundred thousand pesos (P500,000.00) but not more than Three million pesos (P3,000,000.00) per day for each day of violation or imprisonment of not less than six (6) years but not more than ten (10) years, or both, at the discretion of the court. If the offender is a juridical person, the president, manager and the pollution control officer or the official in charge of the operation shall suffer the penalty herein provided. For violations falling under Section 4 of Presidential Decree No. 979 or any regulations prescribed in pursuance thereof, such person shall be liable for a fine of not less than Fifty thousand pesos (P50,000.00) nor more than One million pesos (P1,000,000.00) or by imprisonment of not less than one (1) year nor more than six (6) years or both, for each offense, without prejudice to the civil liability of the offender in accordance with

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)
		<p>existing laws. If the offender is a juridical entity, then its officers, directors, agents or any person primarily responsible shall be held liable: Provided, That any vessel from which oil or other harmful substances are discharged in violation of Section 4 of Presidential Decree No. 979 shall be liable for penalty of fine specified in the immediately preceding paragraph and clearance of such vessel from the port of the Philippines may be withheld until the fine is paid and such penalty shall constitute a lien on such vessel which may be recovered in proceedings by libel in rem in the proper court which the vessel may be. The owner or operator of a vessel or facility which discharged the oil or other harmful substances will be liable to pay for any clean-up costs.</p> <p>Provided, finally, That water pollution cases involving acts or omissions committed within the Laguna Lake Region shall be dealt with in accordance with the procedure under Republic Act No. 4850 as amended.</p>
PPR	RA 9275	<p>SECTION 15. Financial Liability for Environmental Rehabilitation. - The Department shall require program and project proponents to put up environmental guarantee fund (EGF) as part of the environmental management plan attached to the environmental compliance certificate pursuant to Presidential Decree No.1586 and its implementing rules and regulations. The EGF shall finance the maintenance of the health of the ecosystems and specially the conservation of watersheds and aquifers affected by the development, and the needs of emergency response, clean-up or rehabilitation of areas that may be damaged during the program's or project's actual implementation. Liability for damages shall continue even after the termination of a program or project and, until the lapse of a given period indicated in the environmental compliance certificate, as determined by the Department. The EGF may be in the form of a trust fund, environmental insurance, surety bonds, letters of credit, self-insurance and any other instruments which may be identified by the Department. The choice of the guarantee instrument or combinations thereof shall depend, among others, on the assessment of the risks involved and financial test mechanisms devised by the Department. Proponents required to put up guarantee instruments shall furnish the Department with evidence of availment of such instruments from accredited financial instrument providers.</p>

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
NT	RA 9275	<p>SECTION 26. Incentives Scheme. - An incentive scheme is hereby provided for the purpose of encouraging LGUs, water districts (WDs), enterprises, or private entities, and individuals, to develop or undertake an effective water quality management, or actively participate in any program geared towards the promotion thereof as provided in this Act.</p> <p>A. Non-fiscal incentive</p> <p>1. Inclusion in the Investments Priority Plan (IPP). - Subject to the rules and regulations of the Board of Investments (BOI), industrial wastewater treatment and/or adoption of water pollution control technology, cleaner production and waste minimization technology shall be classified as preferred areas of investment under its annual priority plan and shall enjoy the applicable fiscal and non-fiscal incentives as may be provided for under the Omnibus Investment Code, as amended.</p> <p>Fiscal Incentives (C/o BOI)</p> <p>Tax and Duty Exemption on Imported Capital Equipment. - Within ten (10) years upon the effectivity of this Act, LGUs, WDs, enterprises or private entities shall enjoy tax-and-duty-free importation of machinery, equipment and spare parts used for industrial wastewater treatment/collection and treatment facilities: Provided, That the importation of such machinery, equipment and spare parts shall comply with the following conditions:</p> <p>a) They are not manufactured domestically in sufficient quantity, of comparable quality and at reasonable prices;</p> <p>b) They are reasonably needed and will be used actually, directly and exclusively for the above mentioned activities; and</p> <p>c) Written endorsement by the Department that the importation of such machinery, equipment and spare parts would be beneficial to environmental protection and management: Provided, further,</p>	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>That the sale, transfer or disposition of such machinery, equipment and spare parts without prior approval of the BOI within five (5) years from the date of acquisition shall be prohibited, otherwise the LGU concerned, WD, enterprise or private entity and the concerned vendee, transferee or assignee shall be solidarity liable to pay twice the amount of tax and duty exemption given it.</p> <p>2. Tax Credit on Domestic Capital Equipment. - Within ten (10) years from the effectivity of this Act, a tax credit equivalent to one hundred percent (100%) of the value of the national internal revenue taxes and customs duties that would have been waived on the machinery, equipment, and spare parts, had these items been imported shall be given to enterprises or private entities and individuals, subject to the same conditions and prohibition cited in the preceding paragraph.</p> <p>. Tax and Duty Exemption of Donations, Legacies and Gifts. - All legacies, gifts and donations to LGUs, WDs, enterprises, or private entities and individuals, for the support and maintenance of the program for effective water quality management shall be exempt from donor's tax and shall be deductible from the gross income of the donor for income tax purposes.</p> <p>Imported articles donated to, or for the account of any LGUs, WDs, local water utilities, enterprises, or private entities and individuals to be exclusively used for water quality management programs shall be exempted from the payment of customs duties and applicable internal revenue taxes.</p> <p>Industrial wastewater treatment and/or installation of water pollution control devices shall be classified as pioneer and preferred areas of investment under the BOI's annual priority plan and shall enjoy the applicable fiscal and non-fiscal incentives as may be provided for under the Omnibus Investment Code, as amended.</p> <p>B. Financial Assistance Program</p> <p>Government financial institutions such as the Development Bank of the Philippines, Land Bank of the Philippines, Government Service Insurance System, and such other government institutions providing</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>financial services shall, in accordance with and to the extent allowed by the enabling provisions of their respective charters or applicable laws, accord high priority to extend financial services to LGUs, WDs, enterprises, or private entities engaged in sewage collection and treatment facilities.</p> <p>C. Extension or Grants to LGUs</p> <p>Cities and municipalities which shall establish or operate sewerage facilities may be entitled to receive grants for the purpose of developing technical capabilities.</p>	
REFUSE DISPOSAL SERVICES			
MA,PPR	RA 7718, An Act Amending Certain Sections of Republic Act No. 6957, Entitled "An Act Authorizing the Financing, Construction, Operation, and Maintenance of Infrastructure Projects by the Private Sector, and For Other Purposes"	<p>Section 2.b. Build-operate-transfer. (c/o PPP or NEDA)- A contractual arrangement whereby the project proponent undertakes the construction, including financing, of a given infrastructure facility, and the operation and maintenance thereof. The project proponent operates the facility to the government agency or local government unit concerned at the end of the fixed term which shall not exceed fifty (50) years: Provided, That in case of an infrastructure or development facility whose operation requires a public utility franchise, the proponent must be Filipino or, if a corporation, must be duly registered with the Securities and Exchange Commission and owned up to at least sixty percent (60%) by Filipinos.</p> <p>The build-operate-transfer shall include a supply-and-operate situation which is a contractual arrangement whereby the supplier of equipment and machinery for a given infrastructure facility, if he interest of the Government so requires, operates the facility providing in the process technology transfer and training to Filipino nationals.</p>	c/o LAS
NT	RA 9003, Ecological Solid Waste	Section 45. <i>Incentives.</i> - (c/o BOI)	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
	Management Act of 2000	<p>(a) Rewards, monetary or otherwise, shall be provided to individuals, private organizations and entities, including non-government organizations, that have undertaken outstanding and innovative projects, technologies, processes and techniques or activities in re-use, recycling and reduction. Said rewards shall be sourced from the Fund herein created.</p> <p>(b) An incentive scheme is hereby provided for the purpose of encouraging LGUs, enterprises, or private entities, including NGOs, to develop or undertake an effective solid waste management, or actively participate in any program geared towards the promotion thereof as provided for in this Act.</p> <p>(1) Fiscal Incentives. - Consistent with the provisions of E.O. 226, otherwise known as the Omnibus Investments Code, the following tax incentives shall be granted:</p> <p>(a) Tax and Duty Exemption on Imported Capital Equipment and Vehicles - Within ten (10) years upon effectivity of this Act, LGUs, enterprises or private entities shall enjoy tax and duty free importation of machinery, equipment, vehicles and spare parts used for collection, transportation, segregation, recycling, re-use and composting of solid wastes: <i>Provided</i>, That the importation of such machinery, equipment, vehicle and spare parts shall comply with the following conditions:</p> <p>(i) They are not manufactured domestically in sufficient quantity, of comparable quality and at reasonable prices:</p> <p>(ii) They are reasonably needed and will be used actually, directly and exclusively for the above mentioned activities:</p> <p>(iii) The approval of the Board of Investment (BOI) of the DTI for the importation of such machinery, equipment, vehicle and spare parts.</p> <p><i>Provided, further</i>, That the sale, transfer or disposition of such machinery, equipment, vehicle and spare parts, without prior approval of the (BOI), within five (5) years from the date of acquisition shall be</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>prohibited, otherwise, the LGU concerned, enterprise or private entities and the vendee, transferee, or assignee shall be solidarily liable to pay twice the amount of tax and duty exemption given it.</p> <p>(b) Tax Credit on Domestic Equipment - Within ten (10) years from the effectivity of this Act, a tax credit equivalent to 50% of the value of the national internal revenue taxes and customs duties that would have been waived on the machinery, equipment, vehicle and spare parts, had these items been imported shall be given to enterprises, private entities, including NGOs, subject to the same conditions and prohibition cited in the preceding paragraph.</p> <p>(c) Tax and Duty Exemption of Donations, Legacies and Gift - All legacies, gifts and donations to LGUs, enterprises or private entities, including NGOs, for the support and maintenance of the program for effective solid waste management shall be exempt from all internal revenue taxes and customs duties, and shall be deductible in full from the gross income of the donor for income tax purposes.</p>	
NT, MA	RA 9003, Ecological Solid Waste Management Act of 2000	<p>SECTION 49. Fines and Penalties. — (a) Any person who violates Sec. 48, paragraph (1) shall, upon conviction, be punished with a fine of not less than Three hundred pesos (P300.00) but not more than One thousand pesos (P1,000.00) or render community service for not less than one (1) day to not more than fifteen (15) days to an LGU where such prohibited acts are committed, or both;</p> <p>(b) Any person who violates Sec. 48, pars. (2) and (3), shall, upon conviction, be punished with a fine of not less than Three hundred pesos (P300.00) but not more than One thousand pesos (P1,000.00) or imprisonment of not less than one (1) day to not more than fifteen (15) days, or both;</p> <p>(c) Any person who violates Sec. 48, pars. (4), (5), (6), and (7) shall, upon conviction, be punished with a fine of not less than One thousand pesos (P1,000.00) but not more than Three thousand pesos (P3,000.00) or imprisonment of not less than fifteen (15) days but not more than six (6) months, or both;</p>	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>(d) Any person who violates Sec. 48, pars. (8), (9), (10) and (11) for the first time shall, upon conviction, pay a fine of Five hundred thousand pesos (P500,000.00) plus an amount not less than five percent (5%) but not more than ten percent (10%) of his net annual income during the previous year.</p> <p>The additional penalty of imprisonment of a minimum period of one (1) year, but not to exceed three (3) years at the discretion of the court, shall be imposed for second or subsequent violations of Sec. 48, paragraphs (9) and (10).</p> <p>(e) Any person who violates Sec. 48, pars. (12) and (13), shall, upon conviction, be punished with a fine of not less than Ten thousand pesos (P10,000.00) but not more than Two hundred thousand pesos (P200,000.00) or imprisonment of not less than thirty (30) days but not more than three (3) years, or both;</p> <p>(f) Any person who violates Sec. 48, pars. (14), (15) and (16) shall, upon conviction, be punished with a fine not less than One hundred thousand pesos (P100,000.00) but not more than One million pesos (P1,000,000.00), or imprisonment not less than one (1) year but not more than six (6) years, or both.</p> <p>If the offense is committed by a corporation, partnership, or other juridical entity duly organized in accordance with law, the chief executive officer, president, general manager, managing partner or such other officer-in-charge shall be liable for the commission of the offense penalized under this Act.</p> <p>If the offender is an alien, he shall, after service of the sentence prescribed above, be deported without further administrative proceedings.</p> <p>The fines herein prescribed shall be increased by at least ten percent (10%) every three (3) years to compensate for inflation and to maintain the deterrent function of such fines.</p>	
MA, NT, PPR	RA 9003	Section 48. — The following acts are prohibited:	c/o EMB, LAS

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<ul style="list-style-type: none"> (1) Littering, throwing, dumping of waste matters in public places, such as roads, sidewalks, canals, esteros or parks, and establishment, or causing or permitting the same; (2) Undertaking activities or operating, collecting or transporting equipment in violation of sanitation operation and other requirements or permits set forth in or established pursuant to this Act; (3) The open burning of solid waste; (4) Causing or permitting the collection of non-segregated or unsorted waste; (5) Squatting in open dumps and landfills; (6) Open dumping, burying of biodegradable or non-biodegradable materials in flood-prone areas; (7) Unauthorized removal of recyclable material intended for collection by authorized persons; (8) The mixing of source-separated recyclable material with other solid waste in any vehicle, box, container or receptacle used in solid waste collection or disposal; (9) Establishment or operation of open dumps as enjoined in this Act, or closure of said dumps in violation of Sec. 37; (10) The manufacture, distribution or use of non-environmentally acceptable packaging materials; (11) Importation of consumer products packaged in non-environmentally acceptable materials; (12) Importation of toxic wastes misrepresented as “recyclable” or “with recyclable content”; 	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>(13) Transport and dumping in bulk of collected domestic, industrial, commercial and institutional wastes in areas other than centers or facilities prescribed under this Act;</p> <p>(14) Site preparation, construction, expansion or operation of waste management facilities without an Environmental Compliance Certificate required pursuant to Presidential Decree No. 1586 and this Act and not conforming with the land use plan of the LGU;</p> <p>(15) The construction of any establishment within two hundred (200) meters from open dumps or controlled dumps, or sanitary landfills; and</p> <p>(16) The construction or operation of landfills or any waste disposal facility on any aquifer, groundwater reservoir or watershed area and or any portions thereof. Prohibited Acts</p>	
MA	DAO 2001-34, Implementing Rules and Regulations of Republic Act 9003	<p>Rule V, Section 5. Licenses and Permits Issued by the Department</p> <p>No persons, entity or company will be allowed to construct or operate any SWM facility until the said person or entity has applied for and obtained valid permits and licenses to operate. The Bureau, in coordination with the relevant agencies and local government units, shall identify the specific permitting and licensing requirements under its existing regulatory functions for each of the corresponding phases of the SWM. The listing of permitting and licensing requirements shall be published within six (6) months following the effectivity of the Implementing Rules and Regulations of the Act.</p>	
MA	DAO 2001-34	<p>Rule XVI, Section 1.e. Private Sector Participation - Essentially, contractual arrangement is envisaged to be entered into by a Local SWM Board/Local SWM Cluster Board. This provides authority for the private sector to finance, construct, operate and maintain a facility and, in the process, to charge user fees or receive compensation. The Commission shall further define the guidelines for the private sector engagement.</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		The choice of the participation mode may vary from any of the scheme authorized under the BOT Law, RA 6957, as amended by RA 7718 and its implementing Rules and Regulations or joint venture arrangement allowed under the Local Government Code, RA 7160, as well as other private sector funded arrangements.	
MA, NT	DAO 2019-21	Waste to Energy (WTE) Section 5 Section 6 Section 8- Fines and Penalties Fines and penalties for violating these guidelines shall be governed by pertinent provision in Presidential Decrees 1586 n(Establishing an Environmental Impact Statement System(, RA 6969 (Toxic Substances and hazardous and Nuclear Waste Act of 1990,	c/o EMB
NT	EMB Memorandum circular 2020-23	*Insert memo text	c/o EMB
MA, NT, PPR	RA 11898 EPR	Chapter III-A (Insert Section) “EXTENDED PRODUCER RESPONSIBILITY “Article 1 “National Framework for All Types of Product Wastes Sec. 44-A. National Framework for Extended Producer Responsibility. — Unless otherwise provided under Article 2 of this Chapter, within three (3) months following the effectivity of the Extended Producer	c/o EMB / LAS

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		Responsibility Act of 2022, the Department, in consultation with the NSWMC, shall formulate a national framework on EPR for all types of product wastes. The framework shall include the following components: “(a) Reduction of non-environment friendly products which may include the following activities and strategies: “(1) adoption of reusable products, or redesign of the products to improve its reusability, recyclability, or retrievability; “(2) inclusion of recycled content or recycled materials in a product; “(3) adoption of appropriate product refilling systems for retailers;	
MA, NT, PPR	Amended by RA 11898 EPR	“Sec. 45. Incentives. — “(a) Rewards and recognitions, monetary or otherwise, shall be provided to individuals, private organizations and entities, obliged enterprises, and PROs, including non-government organizations, that have undertaken outstanding and innovative projects, technologies, processes and techniques or activities in reuse, recycling, and reduction. Said rewards shall be sourced from the Fund herein created. “(b) An incentive scheme is hereby provided for the purpose of encouraging LGUs, enterprises, or private entities, including enterprises, PROs, and NGOs, to develop or undertake an effective waste management, including recovery and diversion of plastic product footprint, or actively participate in any program geared towards the promotion thereof as provided for in this Act, as amended. “(1) Fiscal Incentives — “(a) Tax incentives — Any provision of law to the contrary notwithstanding, obliged enterprises or PROs acting on their behalf, and other registered business enterprises may apply for incentives following the approval process provided under Title XIII (Tax Incentives) of the National Internal Revenue Code of 1997,	c/o EMB / LAS

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>as amended, for eligible activities: Provided, That such activities shall undergo the standard processes in the identification of qualified activities under the Strategic Investment Priority Plan (SIPP).</p> <p>“(b) The EPR expenses of obliged enterprises, PROs, and private enterprises shall be considered as necessary expenses deductible from gross income subject to the substantiation requirement for necessary business expenses deductible from gross annual income in accordance with Section 34(A)(1) of the National Internal Revenue Code of 1997, as amended.</p> <p>“(c) Tax and Duty Exemption of Donations, Legacies and Gift — x x x.”</p> <p>“Sec. 49. Fines and Penalties. — (a) x x x</p> <p>“(g) Any obliged enterprise that fails to register under Section 44-E or fails to comply with Section 44-F shall be imposed with the following fines:</p> <p>“(1) a fine of not less than Five million pesos (P5,000,000.00) but not exceeding Ten million pesos (P10,000,000.00) for the first offense;</p> <p>“(2) a fine of not less than Ten million pesos (P10,000,000.00) but not exceeding Fifteen million pesos (P15,000,000.00) for the second offense; and</p> <p>“(3) a fine of not less than Fifteen million pesos (P15,000,000.00) but not exceeding Twenty million pesos (P20,000,000.00) for the third offense and automatic suspension of business permit until the requirement of the law is complied with. “In case of failure to meet the targets set under Section 44-F, the obliged enterprise shall pay the same fines set above, or a fine twice the cost of recovery and diversion of the footprint or its shortfall, whichever is higher.</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>“The penalty shall be imposed whether or not the noncompliance is the result of the failure to register under Section 44-E, falsification of documents, misdeclaration of generated or recovered footprint, employment of any scheme to maliciously evade the responsibility of an enterprise under the Extended Producer Responsibility Act of 2022, or tamper its compliance with the provisions of Section 44-F.</p> <p>“The Pollution Adjudication Board of the Department shall hear and adjudicate cases of violations or offenses under this section, and impose appropriate fines therefor.”</p>	
	RA 6969 Toxic Substances	<p>Section 2 Declaration of Policy - It is the policy of the State to regulate, restrict or prohibit the importation, manufacture, processing, sale, distribution, use and disposal of chemical substances and mixtures that present unreasonable risk and/or injury to health or the environment; to prohibit the entry, even in transit, of hazardous and nuclear wastes and their disposal into the Philippine territorial limits for whatever purpose; and to provide advancement and facilitate research and studies on toxic chemicals.</p> <p>Section 13. Prohibited Acts</p> <p>The following acts and omissions shall be considered unlawful:</p> <p>a) Knowingly use a chemical substance or mixture which is imported, manufactured, processed or distributed in violation of this Act or implementing rules and regulations or orders;</p> <p>b) Failure or refusal to submit reports, notices or other information, access to records as required by this Act, or permit inspection of establishment where chemicals are manufactured, processed, stored or otherwise held;</p> <p>c) Failure or refusal to comply with the pre-manufacture and pre-importation requirements; and</p>	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>d) Cause, aid or facilitate, directly or indirectly, in the storage, importation, or bringing into Philippine territory, including its maritime economic zones, even in transit, either by means of land, air or sea transportation or otherwise keeping in storage any amount of hazardous and nuclear wastes in any part of the Philippines.</p> <p>SECTION 14. Criminal Offenses and Penalties. —</p> <p>a) (i) The penalty of imprisonment of six (6) months and one (1) day to six (6) years and one (1) day and a fine ranging from Six hundred pesos (P600.00) to Four thousand pesos (P4,000.00) shall be imposed upon any person who shall violate Section 13(a) to (c) of this Act and shall not be covered by the Probation Law. If the offender is a foreigner, he or she shall be deported and barred from any subsequent entry into the Philippines after serving his or her sentence;</p> <p>ii) In case any violation of this Act is committed by a partnership, corporation, association or any juridical person, the partner, president, director or manager who shall consent to or shall knowingly tolerate such violation shall be directly liable and responsible for the act of the employees and shall be criminally liable as a co-principal;</p> <p>(iii) In case the offender is a government official or employee, he or she shall, in addition to the above penalties, be deemed automatically dismissed from office and permanently disqualified from holding any elective or appointive position.</p> <p>b) (i) The penalty of imprisonment of twelve (12) years and one (1) day to twenty (20) years, shall be imposed upon any person who shall violate Section 13(d) of this Act. If the offender is a foreigner, he or she shall be deported and barred from any subsequent entry into the Philippines after serving his or her sentence;</p> <p>(ii) In the case of corporations or other associations, the above penalty shall be imposed upon the managing partner, president or chief executive in addition to an exemplary damage of at least Five hundred thousand</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>pesos (P500,000.00). If it is a foreign firm, the director and all the officers of such foreign firm shall be barred from entry into the Philippines, in addition to the cancellation of its license to do business in the Philippines;</p> <p>(iii) In case the offender is a government official or employee, he or she shall in addition to the above penalties be deemed automatically dismissed from office and permanently disqualified from holding any elective or appointive position.</p> <p>c) Every penalty imposed for the unlawful importation, entry, transport, manufacture, processing, sale or distribution of chemical substances or mixtures into or within the Philippines shall carry with it the confiscation and forfeiture in favor of the Government of the proceeds of the unlawful act and instruments, tools or other improvements including vehicles, sea vessels, and aircrafts used in or with which the offense was committed. Chemical substances so confiscated and forfeited by the Government at its option shall be turned over to the Department of Environment and Natural Resources for safekeeping and proper disposal.</p> <p>d) The person or firm responsible or connected with the bringing or importation into the country of hazardous or nuclear wastes shall be under obligation to transport or send back said prohibited wastes;</p> <p>Any and all means of transportation, including all facilities and appurtenances that may have been used in transporting to or in the storage in the Philippines of any significant amount of hazardous or nuclear wastes shall at the option of the government be forfeited in its favor.</p> <p>SECTION 15. Administrative Fines. — In all cases of violations of this Act, including violations of implementing rules and regulations which have been duly promulgated and published in accordance with Section 16 of this Act, the Secretary of Environment and Natural Resources is hereby authorized to impose a fine of not less than Ten thousand pesos (P10,000.00), but not more than Fifty thousand pesos (P50,000.00) upon any person or entity found guilty thereof. The administrative fines imposed and collected by the Department of Environment and Natural Resources shall accrue to a special fund to be administered by the Department exclusively for projects and research activities relative to toxic substances and mixtures.</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
MA, PPR	DAO 2013-22, Revised Procedures and Standards for the Management of Hazardous Wastes (Revising DAO 2004-36)	<p>3.3 REQUIREMENTS FOR WASTE GENERATORS</p> <p>Waste generators are required to register online and pay the registration fee to the EMS Regional Office having jurisdiction over the location of the waste generator. A DENR I.D. Number shall be issued by the EMB Regional Office upon registration of the waste generator.</p> <p>Duly registered waste generators shall perform the following activities:</p> <ul style="list-style-type: none"> a. Designate a full-time Pollution Control Officer (PCO) b. Register online and disclose to the Department the type and quantity of waste generated, submit all the required documentary requirements, and pay the prescribed fee to the EMB Regional Office having jurisdiction over the waste generator. c. Until such time that an integrated environmental database is developed, submit online the Hazardous Waste Management portion of the company's Self-Monitoring Report, which shall include the type and quantity of waste generated and transported offsite for treatment or storage. d. Implement proper waste management from the time the wastes are generated until they are rendered non-hazardous by complying to the Hazardous Waste Storage and Transport Requirements (Chapters 6 and 7 of this Procedural Manual) e. Continue to own and be responsible for the wastes generated in the premises until the wastes have been certified by an accredited waste treater as adequately treated, recycled, reprocessed, or disposed off f. Adhere to the hazardous waste transport manifest system when transporting hazardous wastes for offsite treatment, storage, and/or disposal (Chapter 7 of this Procedural Manual) 	<i>c/o EMB</i>

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>g. Prepare and submit to the Department comprehensive emergency preparedness and response program to mitigate spills and accidents involving chemicals and hazardous wastes (Chapter 8 of this Procedural Manual)</p> <p>h. Communicate to its employees the hazards posed by the improper handling, storage, transport, use and disposal of hazardous wastes and their containers</p> <p>i. Develop capability to implement the emergency preparedness and response programs and continually train core personnel on the effective implementation of such programs</p> <p>The provisions of this procedural manual shall be applied to hazardous waste generators one (1) year from issuance hereof. Provided, however, that compliance may further be deferred until such time as may be deemed necessary by the Secretary of the Department of Environment and Natural Resources.</p> <p>3.5 REQUIREMENTS FOR PROPER WASTE MANAGEMENT</p> <p>Waste generator, regardless of size, shall adhere to the following waste management requirements:</p> <p>1. Waste Storage Requirements</p> <p>Waste generator shall comply with the storage and handling requirements as specified in Chapter 6 of this Procedural Manual</p> <p>2. Pre-Transport Requirements</p> <p>Waste generator whose wastes are transported outside its premises shall comply with the packaging and labeling requirements appropriate to the wastes being transported. In addition, waste generator shall prepare</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>a spill response plan specific to the wastes being transported. The spill response plan includes the following instructions to the waste transporter in the event of an accident:</p> <ul style="list-style-type: none"> a. Immediate reporting to the EMB-DENR b. Securing or containing the affected area c. Cleaning up spilled or leaked hazardous wastes <p>Waste generator shall give a copy of the spill response plan to the designated waste transporter and ensure that waste transporter personnel understood the plan. Moreover, waste generator shall ensure that the designated waste transporter has the necessary spill response equipment as indicated in the spill response plan prepared for the wastes being transported.</p> <p>3. Use of Registered Waste Transporters and TSD Facilities</p> <p>Waste generator is required to avail of the services of waste transporters and TSD facilities that are duly registered by EMB Central Office and whose permits are valid within the period that the wastes are being transported and treated, stored, or disposed of.</p> <p>4. Use of the Online Hazardous Waste Management System in Transporting Hazardous Waste for Offsite Treatment, Storage, and Disposal</p> <p>Waste generator whose wastes are transported outside of its premises is required to comply with the Hazardous Waste Management System as described in Chapter 7 of this Procedural Manual.</p> <p>5. Confirmation of Treatment or Disposal Completion</p> <p>As described in Chapter 7 of this Procedural Manual, 'ISO facility shall issue Certificate of Treatment within 45 days after the wastes are received for treatment. The waste generator shall secure the original copy from</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>the TSD facility and include copy of this document as part of the quarterly reporting (SMR) to EMB. Original copy shall be maintained at all times in the facility.</p> <p>3.7 EMERGENCY CONTINGENCY PLAN</p> <p>Waste generator must submit comprehensive emergency contingency plan to the EMB Regional Office having jurisdiction over it. The emergency contingency plan shall follow the Guideline for Preparing Emergency Contingency Plan as discussed in Chapter 8 of this Procedural Manual.</p> <p>3.8 PERSONNEL TRAINING</p> <p>Waste generator must ensure that their personnel working directly with hazardous wastes are properly trained in accordance with Chapter 9 of this Procedural Manual.</p>	
MA	DAO 2013-22	<p>4.0 GOVERNING RULES AND REGULATIONS FOR HAZARDOUS WASTE TRANSPORTERS</p> <p>4.1 REQUIREMENTS FOR WASTE TRANSPORTERS</p> <p>A person who wishes to be registered as waste transporter by the DENR shall register online and pay the corresponding fees to the EMB Regional Office having jurisdiction over the location of the waste transporter. The Manual for Online Registration is shown in Appendix 1.</p> <p>The following documents are the requirements:</p> <ul style="list-style-type: none"> a. Business Permit and SEC Registration Certificate b. Description and Specification of Conveyance, Details of Transport Service 	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<ul style="list-style-type: none"> c. Photographs of conveyance (inside and outside parts of vehicle) d. Proof of ownership of the vehicle (Official Receipt and Certificate of Registration) e. Registration from Land Transportation Office, including the result of air emission testing f. Provision of an appropriate facility that will be used as garage for the vehicles (include sketch map and photographs) g. Certification from the Department of Transportation and Communication (DOTC) signifying that the vehicles are fit to transport hazardous materials h. Name of Drivers and other personnel including proof of competency: <ul style="list-style-type: none"> ▪ Certified true copies of Professional Driver’s License, indicating that the proposed drivers have the appropriate licenses to drive the vehicles for waste transport ▪ Certificate of Training from duly recognized trainings on waste management and emergency preparedness and response. The training certificate must have been issued within the last three (3) years. The training shall cover the following topics and must be at the minimum of eight (8) hours: <ul style="list-style-type: none"> ● Waste identification and classification ● Hazard Categorization and Operability ● Separation and segregation ● Placards and Label ● Personal Protective Equipment ● Safety Data Sheet ● Emergency and Contingency Planning 	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<ul style="list-style-type: none"> ● Applicable Government Regulations <ul style="list-style-type: none"> i. Contingency and Emergency Plan based on Risk Assessment Studies j. Environmental Guarantee Fund (as per DAO 2000-05, Revising DENR Administrative Order (DAO) No. 94-11, Supplementing DENR Administrative Order No. 96-37, Series Of 1996, and Providing for Programmatic Compliance Procedures within the Environmental Impact Statement (EIS) System) in the form of commercial insurance, surety bond, trust fund, or a combination thereof, whose amount is commensurate to the identified risks (from the Risk Assessment Studies) and callable upon demand by the Department during spill or emergency k. Valid contract with a registered TSD Facility(ies) <p>If the applicant meets the requirements, the EMB shall issue DENR Transporter Registration Identification (ID) Number and automatically include the applicant in the Hazardous Waste Transporter Register within the Hazardous Waste Manifest System. The applicant will likewise receive USERNAME and PASSWORD that will be used in accessing the Online Hazardous Waste Management System.</p> <p>4.3 WASTE TRANSPORT VEHICLES</p> <p>Waste transport vehicles must comply with regulations regarding labeling, inspection, use, pressure devices, puncture resistance, and thermal protection</p> <p>Waste transport vehicles shall have all required markings. These markings must be correct, legible, and readable up to 10 meters from the vehicle.</p> <p>4.4 REQUIREMENTS FOR WASTE VEHICLE HOLDING FACILITY (GARAGE)</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>Waste transport vehicles must have a secured and designated facility for parking when not in use.</p> <p>4.6 RENEWAL OF REGISTRATION</p> <p>One month before expiration, an email notification will be sent by EMB reminding the waste transporter to renew registration. The waste transporter must complete online renewal registration requirement within the period; otherwise, the waste transporter will be automatically deleted from the Hazardous Waste Transporter Register.</p>	
MA	DAO 2013-22	<p>5.0 Governing Rules and Regulations for Hazardous Waste Treatment, Storage, and Disposal (TSD) Facilities</p> <p>No wastes shall be stored, recycled, reprocessed, treated and disposed of in facilities other than those facilities prescribed in Section 5.1 and permitted by the Department.</p> <p>5.2 REQUIREMENTS FOR TSD FACILITIES</p> <p>5.2.1 Registration Procedure</p> <p>A person who wishes to be registered as TSD Facility by the DENR shall register online and pay the corresponding fees to the EMB.</p> <p>5.4 REQUIREMENTS FOR RENEWAL OF A TSD FACILITY REGISTRATION</p> <p>One (1) month before the renewal date of the TSD Facility Registration, the TSD facility shall receive computer generated notification for renewal. The TSD facility shall then update the registration information and submit the required documents together with the receipt of payment.</p> <p>5.7 WASTE ACCEPTANCE CRITERIA</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>The TSD facility shall reject the waste if any of the waste acceptance criteria is not complied with. Interim storage at the TSD facility (that is, storage until the issue is resolved) is not permitted.</p> <p>5.8 MINIMUM CONSIDERATIONS FOR POST CLOSURE OF TSD FACILITIES</p> <p>Closure of the TSD Facilities shall be completed within one (1) year of cessation of its operation. Within this period, a comprehensive site investigation study shall be performed establishing the environmental condition of the area, clearly indicating the absence of any traces of contamination.</p>	
MA	DAC-2013-22	<p>6.0 HAZARDOUS WASTE STORAGE AND LABELING This chapter prescribes the rules and regulations governing proper waste storage and labeling that must be complied with by waste generators, transporters, and TSD facilities:</p> <p>6.1 STORAGE FACILITIES Waste generators, transporters, and TSD facilities storing hazardous wastes shall comply with the requirements detailed in the succeeding Sections:</p> <p>6.2 LABELING REQUIREMENTS Vessels, containers, tanks, and containment buildings shall comply with the labeling requirements discussed in the succeeding sections:</p> <p>6.3 PLACARDS ACCOMPANYING THE LABEL The following placards should accompany the label representing the hazard classification of wastes:</p> <p>6.4 PACKAGING REQUIREMENTS</p>	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>Vessels, containers, tanks, and containment buildings shall comply with the packaging requirements discussed in the succeeding sections.</p> <p>NOTE: Can be removed since it is already mentioned/ cited in Chapter 3</p>	
MA	DAO 2013-22	<p>7.0 HAZARDOUS WASTE TRANSPORT RECORD (MANIFEST SYSTEM)</p> <p>No wastes shall be transported or treated without going through the Online Hazardous Waste Manifest System.</p> <p>7.3 TSD FACILITY CONTINUING THE MANIFEST APPLICATION</p> <p>Within forty five (45) days from receipt of the wastes, the TSD facility shall fill in the required portion in the Manifest Form, and issue the Certificate of Treatment (COT).</p> <p>NOTE: Can be removed since it is already mentioned/ cited in Chapter 3</p>	
MA	DAO 2013-22	<p>10.0 IMPORT OF RECYCLABLE MATERIALS CONTAINING HAZARDOUS SUBSTANCES AND EXPORT OF HAZARDOUS WASTES</p> <p>The import or export clearance shall be issued after the consent from the Competent Authority of the importing and exporting countries have been received by the EMB.</p> <p>10.2.3 Importation Clearance Requirement for each Shipment</p> <p>Each shipment of imported recyclable material shall be covered by an Importation Clearance (IC) which shall be applied for at least thirty (30) working days prior to the actual importation. Only duly registered importers may apply for the IC.</p> <p>10.3 REQUIREMENTS FOR EXPORTERS OF HAZARDOUS WASTE</p>	c/o EMB

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		<p>All exporters of hazardous wastes shall be required to:</p> <ul style="list-style-type: none"> a. Submit Notification for EMB's transmittal to the Competent Authority of the importing and transit countries b. Designate a PCO c. Comply with all the requirements of the Basel Convention on the Transboundary Movement of hazardous Wastes d. Comply with the transport record or manifest system to convey the exporting hazardous waste and recyclable materials containing hazardous substances from the generator to the port of embarkation after securing an Exportation Clearance and Permit e. Comply with the storage and labeling requirements as described in Section 6 of this Procedural Manual f. Require that the shipment be accompanied by the movement document from the point at which a transboundary movement commences to the point of disposal g. Provide written consent on the transboundary movement of hazardous waste and/or recyclable materials containing hazardous substances from each State of transit, if applicable h. Provide written confirmation of the existence of a contract between the exporter and the disposer specifying environmentally sound management of the wastes in question from the State of import 	

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
		i. Provide written confirmation of the existence of financial guarantee to cover cost for re-import or other measures that may be needed	
NATURE AND LANDSCAPE PROTECTION SERVICES			
MA, PPR	The 1987 Philippine Constitution	Section 2. All lands of the public domain, waters, minerals, coal, petroleum, and other mineral oils, all forces of potential energy, fisheries, forests or timber, wildlife, flora and fauna, and other natural resources are owned by the State. With the exception of agricultural lands, all other natural resources shall not be alienated. The exploration, development, and utilization of natural resources shall be under the full control and supervision of the State. The State may directly undertake such activities, or it may enter into co-production, joint venture, or production-sharing agreements with Filipino citizens, or corporations or associations at least 60 per centum of whose capital is owned by such citizens. Such agreements may be for a period not exceeding twenty-five years, renewable for not more than twenty-five years, and under such terms and conditions as may provided by law. In cases of water rights for irrigation, water supply, fisheries, or industrial uses other than the development of waterpower, beneficial use may be the measure and limit of the grant.	
	CA 141 and other Land Titling	Check if this should be included	c/o LAS
	DAO 2021-06 Revised Regulations governing the entry and Disposition of Imported Wood Products	<input type="checkbox"/> PARKED Check Cooperatives	c/o FMB
	CA 141 and other Land Titling	Check if this should be included	c/o LAS

Type of Obligation (MA, NT, MFN, LP, PPR, SMBD)	Source of Measure (RAs, EOs, MCs, IRRs, etc.)	Description of the Measure (Relevant Provision)	
MA	RA 7586, National Integrated Protected Areas System Act of 1992	<p>Section 10. Administration and Management of the System. – The National Integrated Protected Areas System is hereby placed under the control and administration of the Department of Environment and Natural Resources. For this purpose, there is hereby created a division in the regional offices of the Department to be called the Protected Areas and Wildlife Division in regions where protected areas have been established, which shall be under the supervision of a Regional Technical Director, and shall include subordinate officers, clerks, and employees as may be proposed by the Secretary, duly approved by the Department of Budget and Management, and appropriated by the Congress. The Service thus established shall manage protected areas and promote the permanent preservation, to the greatest extent possible of their natural conditions.</p>	
MA	RA 11038	<p>Section 25. Special Use Agreement in Pas.</p> <p><i>SEC. 25. Special Uses Within Protected Areas.</i> -Consistent with Section 2 hereof, special uses may be allowed within protected areas except in strict protection zones and strict nature reserves. The PAMB may recommend the issuance of tenurial instrument subject to compliance to ECC and payment of corresponding user fee equivalent to five percent (5%) of the zonal value of commercial land within the nearest barangay or municipality where the project is located multiplied by the area of development plus one percent (1%) value of improvement as premium: Provided, That the activity shall not be detrimental to ecosystem functions and biodiversity, and cultural practices and traditions.</p> <p>"A sufficient bond shall be remitted by the proponent to the DENR to be released to the depository bank in the event of damage by or closure of the establishment after satisfactory rehabilitation according to the zones and objectives of the management plan as attested to by the PAMB."</p>	c/o BMB

MA, NT, LP	DAO 2007-17 SAPA	<p>Section 8 Qualifications of Applicants. The following may apply for SAPA:</p> <p>For individual applicants;</p> <p>8.1 A Filipino of legal age</p> <p>For groups or Corporations or Associations;</p> <p>8.2 An association, corporation, cooperative, partnership or a juridical person, including non-government organizations at least sixty percent (60% of the capital of which is owned by the Filipino citizens, whether private or public, duly created and/or registered under the Philippine laws.</p>	c/o BMB
MA	<p>PD 705, Revising Presidential Decree No. 389, Otherwise Known as the "Forestry Reform Code of the Philippines"</p>	<p>SECTION 5. Jurisdiction of Bureau.. — The Bureau shall have jurisdiction and authority over all forest land, grazing lands, and all forest reservations including watershed reservations presently administered by other government agencies or instrumentalities. It shall be responsible for the protection, development, management, regeneration, and reforestation of forest lands; the regulation and supervision of the operation of licensees, lessees and permittees for the taking or use of forest products therefrom or the occupancy or use thereof; the implementation of multiple use and sustained yield management in forest lands; the protection, development and preservation of national parks, marine parks, game refuges and wildlife; the implementation of measures and programs to prevent kaingin and managed occupancy of forest and grazing lands; in collaboration with other bureaus, the effective, efficient and economic classification of lands of the public domain; and the enforcement of forestry, reforestation, parks, game and wildlife laws, rules, and regulations.</p> <p>The Bureau shall regulate the establishment and operation of sawmills, veneer and plywood mills and other wood processing plants and conduct studies of domestic and world markets of forest products.</p>	
MA	PD 705	<p>Section 59. <i>Citizenship.</i> In the evaluation of applications of corporations, increased Filipino equity and participation beyond the 60% constitutional limitation shall be encouraged. All other factors being equal, the applicant with more Filipino equity and participation shall be preferred.</p>	C/O LAS
MA	IPRA Law	Section 57- 59	

	<p>SECTION 57. Natural Resources within Ancestral Domains. — The ICCs/IPs shall have priority rights in the harvesting, extraction, development or exploitation of any natural resources within the ancestral domains. A non-member of the ICCs/IPs concerned may be allowed to take part in the development and utilization of the natural resources for a period of not exceeding twenty-five (25) years renewable for not more than twenty-five (25) years: Provided, That a formal and written agreement is entered into with the ICCs/IPs concerned or that the community, pursuant to its own decision making process, has agreed to allow such operation: Provided, finally, That the NCIP may exercise visitorial powers and take appropriate action to safeguard the rights of the ICCs/IPs under the same contract.</p> <p>SECTION 58. Environmental Considerations. — Ancestral domains or portions thereof, which are found to be necessary for critical watersheds, mangroves, wildlife sanctuaries, wilderness, protected areas, forest cover, or reforestation as determined by appropriate agencies with the full participation of the ICCs/IPs concerned shall be maintained, managed and developed for such purposes. The ICCs/IPs concerned shall be given the responsibility to maintain, develop, protect and conserve such areas with the full and effective assistance of government agencies. Should the ICCs/IPs decide to transfer the responsibility over the areas, said decision must be made in writing. The consent of the ICCs/IPs should be arrived at in accordance with its customary laws without prejudice to the basic requirements of existing laws on free and prior informed consent: Provided, That the transfer shall be temporary and will ultimately revert to the ICCs/IPs in accordance with a program for technology transfer: Provided, further, That no ICCs/IPs shall be displaced or relocated for the purpose enumerated under this section without the written consent of the specific persons authorized to give consent.</p> <p>SECTION 59. Certification Precondition. — All departments and other governmental agencies shall henceforth be strictly enjoined from issuing, renewing, or granting any concession, license or lease, or entering into any production-sharing agreement, without prior certification from the NCIP that the area affected does not overlap with any ancestral domain. Such certification shall only be issued after a field-based investigation is conducted by the Ancestral Domains Office of the area concerned: Provided, That no certification shall be issued by the NCIP without the free and prior informed and written consent of ICCs/IPs concerned: Provided, further, That no department, government agency or government-owned or -controlled corporation may issue new concession, license, lease, or production sharing agreement while there is a</p>	<p>c/o LAS</p>
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		<p>pending application for a CADT: Provided, finally, That the ICCs/IPs shall have the right to stop or suspend, in accordance with this Act, any project that has not satisfied the requirement of this consultation process.</p> <p>- Need to list down these areas (CADT, CADC, CALT)</p>	
MA	<p>RA 7611 or the SEP Law</p> <p>PCSD Resolution No. 6 s. 2014</p>	<p>Sec. 7. Environmentally Critical Areas Network (ECAN). – The SEP shall establish a graded system of protection and development control over the whole of Palawan, including its tribal lands, forests, mines, agricultural areas, settlement areas, small islands, mangroves, coral reefs, seagrass beds and the surrounding sea. This shall be known as the Environmentally Critical Areas Network, hereinafter referred to as ECAN, and shall serve as the main strategy of the SEP.</p>	c/o BMB
MA	DAO 99-53	<p>Sec 9</p> <p>Sec. 9 Qualifications of Applicants. The Applicants for IFMA shall be:</p> <p>(a) A Filipino citizen of legal age; or,</p> <p>(b) Partnership, cooperative or corporation whether public or private, duly registered under Philippine laws.</p> <p>However, in the case of application for conversion of TLA into IFMA, an automatic conversion after proper evaluation shall be allowed, provided the TLA holder shall have signified such intention prior to the expiry of the TLA, PROVIDED further, that the TLA holder has showed satisfactory performance and have complied in the terms of condition of the TLA and pertinent rules and regulations.</p>	9 c/o FMB
MA	<p>IFMA</p> <p>DAO 2004-30</p>		c/o FMB
MA	DAO 96-29 and EO 318		c/o FMB

MA	DAO 2004-59		c/o FMB
MA	DAO 2004-28 FLAGT		c/o FMB
MA	DAO 99-36		c/o FMB
MA	DAO 2021-04 FIPA		c/o FMB

OTHERS			
PPR	RA 8749, Philippine Clean Air Act of 1999	Section 18. Financial Liability for Environmental Rehabilitation. - As part of the environmental management plan attached to the environmental compliance certificate pursuant to Presidential Decree No. 1586 and rules and regulations set therefor, the Department shall require program and project proponents to put up financial guarantee mechanisms to finance the needs for emergency response, clean-up or rehabilitation of areas that may be damaged during the program or project's actual implementation. Liability for damages shall continue even after the termination of a program or project, where such damages are clearly attributable to that program or project and for a definite period to be determined by the Department and incorporated into the environmental compliance certificate. Financial liability instruments may be in the form of a trust fund, environmental insurance, surety bonds, letters of credit, as well as self-insurance. The choice of the guarantee instrument or combinations thereof shall depend, among others, on the assessment of the risks involved. Proponents required to put up guarantee instruments shall furnish the Department with evidence of availment of such instruments.	
MA	RA 8749	Section 27. Regulation of Fuels and Fuel Additives. - The DOE, in coordination with the Department and the BPS, shall regulate the use of any fuel or fuel additive. No manufacturer, processor or trader of any fuel or additive may import, sell, offer for sale, or introduce into commerce such fuel or additive unless the same has been registered with the DOE. Prior to registration, the manufacturer, processor or trader shall provide the DOE with the following relevant information: a) Product identity and composition to determine the potential health effects of such fuels and additives; b) Description of the analytical technique that can be used to detect and measure the additive in any fuel; c) Recommended range of concentration; and d) Purpose in the use of the fuel and additive.	c/o MGB

<p>MA</p>	<p>DAO 2000-81, Implementing Rules and Regulations for RA 8749</p>	<p>Rule XIX , Section 5. Application for Permit to Operate</p> <p>An application for a Permit to Operate shall be filed for each source emitting regulated air pollutants. Facilities having more than one source may group the sources under a single permit application, provided the requirements below are met for each individual source. Applications shall be made in a format prescribed by the Department through the Bureau, filed in triplicate copies, together with a copy of the official receipt of the filing fees and including the following:</p> <ul style="list-style-type: none"> (a) The information listed in Section 3 of this Rule; (b) A statement of compliance or non-compliance with Rule XXV (or, in the case of incinerators, a statement of compliance or non-compliance with Rule XXVIII). The statement of compliance shall be supported with actual test data (such as stack sampling test data), or data gathering techniques acceptable to the Bureau. (c) A statement of compliance or non-compliance with Rule XXVI, Ambient Air Quality Standards. The statement of compliance shall be supported by dispersion modeling data using modeling techniques and sampling approved by the Bureau. For cases in which source sampling and analysis is not practical, the Bureau may approve the use of actual ambient air test data to demonstrate compliance with the Ambient Air Quality Standards, so long as 459 the location and conditions of the testing conform to a “worst case” scenario as demonstrated by air dispersion modeling. (d) A compliance action plan for sources not meeting regulatory requirements. The Compliance Plan may include provision for use of emission averaging and/or trading as allowed under Parts III and IV. (e) A certification signed by the applicant attesting to the accuracy and completeness of the application. (f) A signed copy of the appointment or designation of the pollution control officer of the applicant; and (g) Other documents, information and data as may be required by the Department through the Bureau. 	
<p>MA</p>	<p>RA 6969, Toxic Substances and Hazardous and Nuclear Wastes Control Act of 1990</p>	<p>Section 8. Pre-Manufacturing and Pre-Importation Requirements. - Before any new chemical substances or mixture can be manufactured, processed or imported for the first time as determined by the Department of Environment and Natural Resources, the manufacturer, processor or importer shall submit the following information: the name of the chemical substances; its chemical identity and molecular structure; proposed categories of use; an estimate of the amount to be manufactured, processed or imported; processing and</p>	

		disposal thereof; and any test data related to health and environmental effects which the manufacturer, processor or importer has.	
MA	DAO 1992-29, Implementing Rules and Regulations of RA 6969	<p>Section. 27. Waste Transporter</p> <ol style="list-style-type: none"> 1. No transport of hazardous waste shall be allowed unless prior permit is secured from the Department. 2. Any application for the issuance or amendment of a permit to transport hazardous waste shall be made in accordance with the form and in a manner approved by the Department and accompanied by a payment of the prescribed fee. 3. The Department shall maintain a register of waste transporters. 4. A waste generator shall only use waste transporters duly authorized by the Department to transport hazardous wastes. 	
PPR	DAO 2003-30, Implementing Rules and Regulations (IRR) for the Philippine Environmental Impact Statement (EIS) System	<p>Section 9.3 Environmental Guarantee Fund</p> <p>An Environmental Guarantee Fund (EGF) shall be established for all co-located or single projects that have been determined by DENR to pose a significant public risk or where the project requires rehabilitation or restoration. An EGF Committee shall be formed to manage the fund. It shall be composed of representatives from the EMB Central Office, EMB Regional Office, affected communities, concerned LGU's, and relevant government agencies identified by EMB.</p> <p>An integrated MOA on the MMT-EMF-EGF shall be entered into among the EMB Central Office, EMB Regional Office, the proponent, and representatives of concerned stakeholders.</p>	
PPR	DAO 2015-02, Harmonization of the Implementation of the Philippine Environmental Impact Statement System and the Philippine Mining	<p>Section 5. Requirements for Mining Companies</p> <ol style="list-style-type: none"> a. All proposed mining projects covered by this DAO shall set up CLRFS, ETfs and funds for SDMPs, in lieu of the EGFs and the EMFs to defray the cost of monitoring, compensation for damages, social development, progressive rehabilitation, and final mine rehabilitation/decommissioning <p>EGFs and EMFs for ancillary facilities within the mining project area and covered by a separate ECC shall be integrated in the CLRF, ETF and fund for the SDMP for the mining project.</p>	

	Act of 1995 in Relation to Mining Projects		
MA	RA 9147, Wildlife Resources Conservation and Protection Act	Section 16. Biosafety - All activities dealing on genetic engineering and pathogenic organisms in the Philippines, as well as activities requiring the importation, introduction, field release and breeding of organisms that are potentially harmful to man and the environment shall be reviewed in accordance with the biosafety guidelines ensuring public welfare and the protection and conservation of wildlife and their habitats.	
MA	RA 9147	Section 17. Commercial Breeding or Propagation of Wildlife Resources. - Breeding or propagation of wildlife for commercial purposes shall be allowed by the Secretary or the authorized representative pursuant to Section 6 through the issuance of wildlife farm/culture permit: Provided, That only progenies of wildlife raised, as well as unproductive parent stock shall be utilized for trade: Provided, further: That commercial breeding operations for wildlife, whenever appropriate, shall be subject to an environmental impact study.	
MA	RA 9147	Section 36. Botanical Gardens, Zoological Parks and Other Similar Establishments. The Secretary shall regulate the establishment, operation and maintenance of botanical gardens, zoological parks and other similar establishments for recreation, education and conservation.	
MA	DAO 2008-26, Revised Implementing Rules and Regulations of RA 7586 or the National Integrated Protected Areas System (NIPAS) Act of 1992	<p>Rule 16. Survey for Energy Resources. - Consistent with the policies declared in Section 2 of the NIPAS Act, protected areas, except strict nature reserves and natural parks, may be subjected to exploration only for the purpose of gathering information on energy resources and only if such activity is carried out with the least damage to surrounding areas. Surveys shall be conducted only in accordance with a program approved by the DENR, and the result of such surveys shall be made available to the public and submitted to the President for recommendation to Congress. Any exploitation and utilization of energy resources found within NIPAS areas shall be allowed only through a law passed by Congress.</p> <p>16.1 Exploration for utilization of energy resources shall not be allowed in Strict Nature Reserve and Natural Park categories. In accordance with the management objectives for strict protection zones as designated in other categories of protected areas, exploration of energy resources shall likewise be prohibited.</p> <p>16.2 Survey of non-renewable energy resources within protected areas shall be allowed only as part of the resource profiling of the protected area as provided under Rule 6.</p> <p>16.3 The exploitation and utilization of non-renewable energy resources found within protected areas except Strict Nature Reserves and Natural Parks shall be allowed only through a law passed by Congress.</p>	

		<p>16.4 The development, utilization and operations of non-extractive renewable energy sources such as wind, solar, or tidal energy, and not more than three (3) megawatts capacity for mini-hydro power, shall be allowed in protected areas other than Strict Nature Reserves and Natural Parks through the issuance of appropriate instruments in accordance with existing laws and regulations. Provided, that these renewable energy projects are outside the strict protection zones, reduced impact technologies shall be adopted and the operation of such shall be in accordance with the EIS System.</p>	
MA	<p>Joint DENR-DA-PCSD AO 2004-01, Implementing Rules and Regulations (IRR) of Republic Act 9147 otherwise known as the Wildlife Resources Conservation and Protection Act of 2001</p>	<p>Section 5</p> <p>k. "Export permit" refers to a permit authorizing an individual to bring out wildlife from the Philippines to any other country;</p> <p>l. "Gratuitous permit" means permit issued to any individual or entity engaged in noncommercial scientific or educational undertaking to collect wildlife;</p> <p>n. "Import permit" refers to a permit authorizing an individual to bring in wildlife from another country;</p> <p>q. "Re-export permit" refers to a permit authorizing an individual to bring out of the country a previously imported wildlife;</p> <p>v. "Transport permit" means a permit issued authorizing an individual to bring wildlife from one place to another within the territorial jurisdiction of the Philippines</p> <p>y. "Wildlife collector's permit" means a permit to take or collect from the wild certain species and quantities of wildlife for commercial purposes; and</p> <p>z. "Wildlife farm/culture permit" means a permit to develop, operate and maintain a wildlife breeding farm for conservation, trade and/or scientific purposes.</p> <p>jj. "Commercial Research Agreement" refers to the agreement or undertaking entered into by the Secretary of the DENR or the DA or the PCSD Chairman and a private or public person or entity allowing the latter to conduct prospecting of biological and genetic resources;</p> <p>ww. "Local Transport Permit" refers to the permit authorizing an individual or entity to bring, carry or ship wildlife, by products or derivatives acquired from legal sources from the point of origin to the final destination within the country;</p>	C/O BMB

MA	Joint DENR-DA-PCSD AO 2004-01	<p>Section 7 Rule 7.1. Collection of wildlife may be allowed for scientific researches, breeding/propagation, bioprospecting, commercial purposes, or for other activities as may be authorized by the Secretary or Council, subject to compliance with the requirements and conditions specified in this Order and subsequent rules and regulations as may be hereinafter promulgated.</p> <p>Rule 7.2. The quantity of individuals per species to be collected shall not exceed the national quota approved by the Secretary that shall be determined on the basis of the best scientific and/or commercial and other significant data available to the Secretary after conducting a review of the status of the species. The Secretary shall likewise indicate the areas of collection, whenever possible.</p>	
MA	Joint DENR-DA-PCSD AO 2004-01	<p>Section 9 Rule 9.1. Collection of by-products and derivatives may be undertaken provided these are covered by permits issued by the Secretary or the Council or their authorized representatives.</p>	
MA	Joint DENR-DA-PCSD AO 2004-01	<p>Section 10 Rule 10.1 Local transport of wildlife, by-products and derivatives shall be accompanied by a Local Transport Permit (LTP) secured from the nearest DENR /DA-BFAR Field Office or the PCSD Staff District Management Office, as the case may be. Provided that the wildlife, by-products or derivatives were collected or acquired in accordance with this Order and subsequent rules and regulations as may be hereinafter promulgated by the concerned agencies;</p> <p>Rule 10.2 A Quarantine/Veterinary Health Certificate for animals or a Phytosanitary Certificate for plants secured from the Department of Agriculture shall also accompany the transport of live specimens.</p>	
MA	Joint DENR-DA-PCSD AO 2004-01	<p>Section 11 Rule 11.1 Wildlife species gathered or taken in violation of the provisions of R.A. 8550 or the Philippine Fisheries Code and its Implementing Rules and Regulations shall not be allowed for exportation.</p> <p>Rule 11.2 An export permit or import permit shall be issued by the Secretary after compliance with the requirements and procedures imposed under each agency's respective rules and regulations.</p> <p>Rule 11.3 Importation of exotic species may be allowed by the Secretary or the authorized representative based on sound ecological, biological and environmental justification resulting from scientific studies, subject to biosafety standards and import risk analysis and/or other sanitary and phytosanitary measures.</p> <p>Rule 11.4 The Secretary shall promulgate rules and regulations for the importation and introduction of exotic wildlife species.</p>	

		<p>Rule 11.5 For wildlife species, the DA shall require an export/import permit issued by the DENR, as the case may be, prior to the issuance of the phytosanitary/veterinary health certificate.</p> <p>Rule 11.6 The rules and regulations under this Section shall also cover wildlife by-products and derivatives.</p>	
MA	Joint DENR-DA-PCSD AO 2004-01	Section 13. Rule 13.1 The introduction of exotic species as defined in this Order shall require the prior clearance of the Secretary or the Council or their authorized representatives, as the case may be, upon recommendation of the NWMC; Provided that no introductions shall be made into protected areas and critical habitats.	
NT, PPR	Joint DENR-DA-PCSD AO 2004-01	<p>Section 15 Rule 15.3 If the applicant is a foreign entity or individual or a Filipino citizen affiliated with a foreign institution, a Memorandum of Agreement shall be executed with the Secretary or Council. In addition to the requirements under the preceding Rule, a local institution must be identified as a research collaborator or counterpart and the corresponding letter of consent of the Head of such local institution should be submitted to the concerned agency.</p> <p>Rule 15.6 For thesis and dissertation purposes by foreign applicants or Filipino citizens affiliated with foreign institutions, the execution of a Memorandum of Agreement with and issuance of the GP by the DENR, DA, or PCSD, as the case may be, shall be required. The MOA shall, as far as practicable, be signed and issued within one month after submission and completion of all requirements.</p>	
MA, PPR	Joint DENR-DA-PCSD AO 2004-01	<p>Rule 16.1 Existing biosafety protocol shall be observed in all activities dealing on genetic engineering and pathogenic organisms, including their importation, introduction, field release and breeding.</p> <p>Rule 16.2 The following activities shall undergo the process of Environmental Impact Assessment (EIA):</p> <ol style="list-style-type: none"> a. introduction of exotic fauna in private/public forests; b. field release of any pathogenic organism; c. field testing of any genetically-engineered organism: (i) in an Environmentally Critical Area; (ii) the conduct of which has been determined by the DENR-Environmental Management Bureau and the DA-Bureau of Plant Industry, as posing significant risks to the environment. 	
MA, NT, PPR	Joint DENR-DA-PCSD AO 2004-01	<p>Section 17</p> <p>Rule 17.1 Any Filipino citizen or corporation, partnership, association, cooperative, at least 60% of the capital of which is owned by Filipino citizens allowed to collect wildlife for commercial breeding or</p>	

		<p>propagation purposes shall be issued a Wildlife Collector's Permit (WCP) by the PAWB or BFAR Director or concerned Regional Executive Director of the DENR or Regional Director of the DA-BFAR, Executive Director of the PCSD, and Wildlife Farm Permit (WFP) by the concerned Regional Executive Director of the DENR or the Regional Director of the DA-BFAR or the Executive Director of the PCSDS.</p> <p>Rule 17.3 For non-Filipino citizens, corporations, partnerships, or associations, a WFP shall only be issued if the parental stock are either captive-bred or obtained through importation.</p>	
MA	Joint DENR-DA-PCSD AO 2004-01	<p>Rule 18.2 Only Filipino citizens, or corporations, partnerships, cooperatives or associations 60% of the capital of which is owned by Filipinos, shall be allowed to collect non-threatened economically important species for direct trade purposes. This may be done upon the issuance of a Wildlife Special Use Permit (WSUP) by the Secretary of the DENR, or an equivalent permit of the DA or the concerned city or municipality in case of marine/aquatic species found in municipal waters, or an equivalent permit from the Council, or their authorized representatives. The permit shall be issued upon compliance with the requirements and procedures prescribed in subsequent rules and regulations to be promulgated by the concerned agencies, provided that the use shall only be allowed when the population of the species can remain viable and sustainable.</p>	

<p>MA</p>	<p>DAO 2004-55, DENR Streamlining/Procedural Guidelines pursuant to the joint DENR-DA-PCSD Implementing Rules and Regulations of Republic Act No. 9147 otherwise known as "Wildlife Resources Conservation and Protection Act"</p>	<p>Section 2. Definition of Terms. For purposes of this Order, the following terms shall be construed as follows:</p> <p>6. Commercial purposes — activities undertaken to obtain economic benefit, including profit (whether in cash or in kind) and is directed toward resale, exchange, provision of a service or other form of economic use or benefit;</p> <p>15. Large-scale farming — commercial breeding/propagation of wildlife with capital of more than Php 1,500,000.00;</p> <p>31. Small-scale Farming — commercial breeding/propagation of wildlife with a capital of PhP 1,500,000.00 or less;</p> <p>35. Wildlife Special Use Permit (WSUP) — permit authorizing qualified persons to collect economically important species for direct trade purposes;</p>	
<p>MA</p>	<p>DAO 2004-55</p>	<p>Section 5. Commercial Breeding or Propagation of Wildlife. The following are the procedures and requirements for the issuance of Wildlife Farm Permit (WFP), Wildlife Collector's Permit (WCP) and Wildlife Special Use Permit (WSUP) for the commercial breeding or propagation of wildlife, these permits will have a validity of five (5) years or when the project is terminated, and renewable for the same duration. The WSUP is subject to the approved list of economically important species and its rules and regulations for specific species:</p> <p>5.1 Wildlife Farm Permit (WFP)</p> <p>5.1.1 Requirements</p> <p>a. Small Scale Farming (with capital of Php 1,500,000.00 and below);</p> <p>a.1. Duly accomplished application form (ANNEX "A")/with two recent 2" x 2" photo of applicant;</p> <p>a.2 Copy of Certificate of Registration from appropriate Government agencies such as the Security and Exchange Commission (SEC), Cooperative Development Authority (CDA), etc.;</p>	

		<p>a.3 Proof of scientific expertise (list and qualifications of manpower);</p> <p>a.4 Financial plan showing financial capability to go into breeding;</p> <p>a.5 Proposed facility design;</p> <p>a.6 In case of indigenous threatened species, letter of commitment to simultaneously undertake conservation breeding and propose measures on rehabilitation and/or protection of habitat, where appropriate, as may be determined by the RWMC;;</p> <p>a.7 Prior clearance from the affected communities, i.e. concerned LGUs, recognized head of the indigenous people in accordance with RA 8371, or Protected Area Management Board;</p> <p>b. Medium to Large Scale Farming (with capital of more than Php 1,500,000.00)</p> <p>a.1 Duly accomplished form (ANNEX "A") with recent 2 x 2 photo of applicant; ’</p> <p>a.2 Management and breeding plan in accordance with the attached outline;</p> <p>a.3 Proof of scientific expertise (list and qualifications of manpower);</p> <p>a.4 Photo of the existing facility (for those converted to wildlife farm) or sketch/ development plan of proposed facility;</p> <p>a.5 In case of indigenous threatened species, letter of commitment to simultaneously undertake conservation breeding and propose measures on rehabilitation and/or protection, where appropriate, as may be determined by the RWMC;</p> <p>a.6 Certified copy of Land Title or Lease Contract for the facility;</p> <p>a.7 Financial plan showing financial capability to go into breeding;</p> <p>a.8 Photocopy of Articles of incorporation, in case of corporation;</p> <p>a.9 Prior clearance from the affected communities, i.e. concerned LGUs, recognized head of the indigenous people in accordance with RA 8371, or Protected Area Management Board;;</p> <p>a.10 Copy of BIR registration as exporter, if applicant will engage in export;</p>	
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		<p>a.11 Payment of fees in accordance with section 9 hereof.</p> <p>5.1.2 Procedures for Processing of WFP:</p> <p>a. The applicant shall submit the following documents or requirements to the nearest PENRO/CENRO/Regional Office concerned. In case the submission is made at the PENRO/CENRO, the documents should be forwarded within a day to the Regional Office.</p> <p>b. PAWD of the DENR Regional Office concerned shall undertake initial evaluation based on the above requirements including site inspection within five (5) days;</p> <p>c. Final evaluation of application by the RWMC within fifteen (15) days. PAWD shall be accountable on the result of the evaluation and site inspection.</p> <p>d. Preparation and approval of WFPs by the RED of the Regional Office concerned within 3 days;</p> <p>e. Transmittal of approved WFPs to concerned parties within 1 day.</p> <p> i. For the collection of breeding stock from the wild, applicant shall secure a Wildlife Collector's Permit pursuant to Section 5.2 hereof;</p> <p> ii. If the breeding stock will be acquired from other sources, documents supporting the acquisition of said wildlife shall be submitted, such as import permit, Certificate of Accreditation and Registration (CAR) or Certificate of Wildlife Registration (CWR), and sales invoice from the legitimate source/s;</p> <p>5.2 Wildlife Collector's Permit (WCP)/Wildlife Special Use Permit (WSUP)</p> <p>a. The applicant shall submit the following documents to the concerned DENR Regional Office :</p> <p> a.1 Duly accomplished application form with recent 2" x 2" photo of applicant (ANNEX "ATM);</p> <p> a.2 List of species to be collected indicating the quantity for each, and methods of collection to be used,;</p> <p> a.3 Prior clearance from the affected communities, i.e. concerned LGUs, recognized Head of indigenous Cultural Communities (ICC) in accordance with RA 8371, or Protected Area Management Board (PAMB);,</p> <p> a.4 Names and addresses of authorized collectors/trappers;</p>	
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		<p>a.5 Payment of fees in accordance with Section 9 hereof.</p> <p>b. Upon submission of the above-mentioned documents, inspection of holding facility shall be conducted by technical staff of PAWD of concerned DENR Regional Office, whose related expenses shall be shouldered by the applicant within 5 days;</p> <p>c. Evaluation of application by the RWMC within 5 days. In case of application for the WSUP, the PAMB shall be part of the review Committee;</p> <p>d. Preparation and approval of WCPs/WSUPs by the concerned Regional Executive Director upon recommendation of the RWMC within 3 days. In case collection sites covers several Regions, the RED where the greater number of collection site/area coverage shall process and approve the WCPs/WSUPs;</p> <p>e. Transmittal of approved WCPs/WSUPs to concerned parties within 1 day.</p>	
<p>MA</p>	<p>DAO 2004-55</p>	<p>Section 6. Other Uses of Wildlife. Wildlife may be utilized for shows or exhibitions, educational and documentation for commercial purposes after compliance with the following requirements and procedures:</p> <p>6.1. Animal/plant shows/exhibition using wildlife</p> <p>a. Duly accomplished application form with recent 2 x 2 photo of applicant (Annex "C");</p> <p>b. In case of animal shows using wildlife, clearance from or registration with the Animal Welfare Division of the Bureau of Animal Industry pursuant to Republic Act 8485 (Animal Welfare Act);</p> <p>c. In case of imported animals, no importation shall be permitted except upon deposit of a bond with PAWB in an amount equal to the transport cost of the animals back to the owner-country or country of origin. Import/re-export permits shall be secured in accordance with Section 8 hereof,</p> <p>d. Issuance of Wildlife Special Use Permit for Animal/Plant Show by the concerned Regional Executive Director. However, for animals coming from other countries, the PAWB Director shall issue the WSUP,</p> <p>6.2 Educational/Documentation for commercial purposes</p> <p>a. Duly accomplished application form (Annex "C");</p> <p>b. Letter request specifying the species, quantity and areas of collection or area, subject of documentation, as the case maybe;</p>	

		<p>c. Clearance from the recognized head of Indigenous People in accordance with RA No. 8371 (Indigenous Peoples' Rights Act [IPRA] of 1997), concerned LGUs, or Protected Area Management Board;</p> <p>d. Issuance of Wildlife Special Use Permit for educational/documentation purposes by the concerned DENR Regional Executive Director.</p>	
MA	DAO 2004-55	<p>Section 7. Local Transport of Wildlife, By-products and Derivatives. The following are the requirements for the issuance of a Local Transport Permit:</p> <p>7.1 Duly accomplished application form (Annex "D");</p> <p>7.2 Inspection/verification of wildlife by the CENRO nearest the place of collection using Inspection Report Form (Annex "E"); /</p> <p>7.3 Documents supporting the legal possession or acquisition of wildlife; 7.4 Payment of fee in accordance with Section 9 hereof;</p> <p>7.5 Phytosanitary Certificate (for plants) or Veterinary Quarantine Certificate (for animals) from the concerned DA Office;</p> <p>7.6 Issuance of local transport permit by the CENRO nearest the place of collection. In case of Metro Manila, the RED NCR shall issue the local transport permit.</p>	
MA	DAO 2016-25, Additional Guidelines on the Local Transport of Wildlife, Wildlife By-Products and/or Derivatives For Shows, Exhibitions and Educational Purposes	<p>Section 4. Requirements for the Issuance of Special Local Transport Permit, Any person or entity with a valid Wildlife Special Use Permit (WSUP) may apply for a Special Local Transport Permit (SLTP) for the in-country conveyance of accredited/registered wildlife, wildlife by-products and/or derivatives therefrom for shows, exhibitions and educational purposes, such as training, teaching and similar learning events. An SLTP shall authorize the multiple journey and round trip transport of wildlife, wildlife by-products and/or derivatives specified therein from the facility of origin to places of destination and vice-versa for a period not to exceed three (3) months. <i>Provided</i>, that each transport shall be accompanied by the original copy of the</p>	c/o BMB

		<p>WSUP, invitation or engagement letter, contract or written agreement indicating the date and venue of the show, exhibition or educational event.</p> <p>The following are the requirements and procedures for the issuance of an SLTP:</p> <p>4.1 The concerned WSUP holder shall submit the following requirements to the Office of the Regional Director (ORD), in the case of the DENR-National Capital Region (NCR) or the concerned Provincial Environment and Natural Resources Office (PENRO), in the case of other DENR Regional Offices:</p> <p>4.1.a Duly accomplished application form (Annex "A");</p> <p>4.1.b Certified true copy of the WSUP and other document/s supporting the legal possession/acquisition of the wildlife species/specimens applied for SLTP;</p> <p>4.1.c Copies of available invitation or engagement letters, contracts or written agreements indicating the date and venue of the show, exhibition or educational event; and,</p> <p>4.1 .d Payment of the following fees:</p> <table data-bbox="847 747 1582 836"> <tr> <td>Application and processing fee</td> <td>-</td> <td>PhP300.00</td> </tr> <tr> <td>Inspection fee</td> <td>-</td> <td>PhP500.00</td> </tr> </table> <p>Permit fee:</p> <table data-bbox="847 958 1482 1299"> <thead> <tr> <th>Validity Period</th> <th>Corresponding Fee</th> </tr> </thead> <tbody> <tr> <td>One (1) week or less</td> <td>PhP200.00</td> </tr> <tr> <td>Two (2) weeks</td> <td>PhP250.00</td> </tr> <tr> <td>Three (3) Weeks</td> <td>PhP300.00</td> </tr> <tr> <td>One (1) month</td> <td>PhP500.00</td> </tr> <tr> <td>Two (2) months</td> <td>PhP750.00</td> </tr> <tr> <td>Three (3) months</td> <td>PhP1,000.00</td> </tr> </tbody> </table>	Application and processing fee	-	PhP300.00	Inspection fee	-	PhP500.00	Validity Period	Corresponding Fee	One (1) week or less	PhP200.00	Two (2) weeks	PhP250.00	Three (3) Weeks	PhP300.00	One (1) month	PhP500.00	Two (2) months	PhP750.00	Three (3) months	PhP1,000.00	
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MA	DA-DENR-DILG-JAO 2020-01, Defining the Roles and Responsibilities of Agencies Concerned in the Local Trade and Transport of Wildlife Under the Jurisdiction of the Department of Environment and Natural Resources	<p>Section 5. Common Roles and Responsibilities. As allowed by their respective mandates, the Department of Agriculture (DA), the Department of Environment and Natural Resources (DENR), and the Department of the Interior and Local Government (DILG) shall promote public awareness of and compliance with the laws, rules and regulations relating to local trade in wildlife. They shall likewise render mutual assistance in related monitoring and capacity building activities.</p> <p>Section 6. Roles and Responsibilities of the DA. The DA, through the BAI, shall:</p> <ul style="list-style-type: none"> c. Incorporate in each Shipping Permit a statement that such permit shall not be valid for the transport of wildlife; d. Include as a requirement for the issuance of a Certificate of Registration for entities dealing with wildlife the presentation of the appropriate wildlife permits/clearances from the concerned DENR Regional Office; <p>Section 7. Roles and Responsibilities of the DENR. The DENR, through its regional offices and/or the Biodiversity Management Bureau (BMB), shall:</p> <ul style="list-style-type: none"> d. Incorporate in each Local Transport Permit a statement that such permit shall not be valid for the transport of wildlife unless the necessary Phytosanitary or Veterinary Quarantine Certificate is obtained from Bureau of Plant Industry (BPI) or BAY, respectively; <p>Section 8. Roles and Responsibilities of the DILG. The DILG shall:</p> <ul style="list-style-type: none"> b. Reiterate to LGUs, through an appropriate issuance, the requirement of proper DENR wildlife permit and/or clearance for persons and entities engaged in the trade of wildlife and the cancellation of the business permits of persons and entities involved in illegal trade of wildlife; h. Ensure that there is a separate category for "wildlife trade" in all checklists for industry type or kind/line of business in certification or transport permit application forms. 	c/o BMB
MA	DAO 2004-55	Section 8. Exportation and Importation of Wildlife. The exportation and importation of wildlife, its by-products and derivatives acquired from legal sources shall be allowed upon prior issuance of an export or import permit by the DENR in accordance with the requirements hereof. For re-exportation of wildlife, re-	

		<p>export permit shall be issued for specimens either covered by an import permit from the DENR or other proofs of acquisition from legal sources.</p> <p>For species listed under the Appendices of CITES, a CITES Export/Import/Re-export Permit shall be issued by PAWB. For non-CITES specimens, prior grant of a Non-CITES Export/Import/Re-export Permit shall be issued by the RED within international airports where the wildlife specimens will exit/enter. These permits shall be issued anytime, whenever needed, and shall have a validity period of not more than six (6) months, depending upon the requirements of the shipment as determined by the DENR.</p> <p>The following are the requirements for the issuance of CITES or non-CITES Export/Re-export/Import Permits:</p> <p>8.1 CITES/Non-CITES Export Permit:</p> <ul style="list-style-type: none"> a. Duly accomplished application form (Annex "F"); b. Inspection of wildlife by the DENR within 3 days; c. Documents supporting the legal possession or acquisition of wildlife; d. Bank export declaration, if for commercial purposes; e. Local Transport Permit, where applicable; f. Phytosanitary/Veterinary Health Certificate; and, g. Payment of fee. <p>8.2 CITES/Non-CITES Import Permit:</p> <ul style="list-style-type: none"> a. Duly accomplished application form (Annex "F"); b. Export permit/certification of origin from exporting country; c. For live specimens, veterinary/phytosanitary certificate issued by the authorized government agency of the country of origin d. Payment of fee. <p>8.3 CITES/Non-CITES Re-export Permit</p> <ul style="list-style-type: none"> a. Duly accomplished application form (Annex "F"); b. Inspection of specimens by the DENR within 3 days; 	
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		<p>c. CITES/Non-CITES Import Permit issued by the DENR or other documents supporting legal possession or acquisition of wildlife;</p> <p>d. Local transport permit, where applicable;</p> <p>e. Bank export declaration, if for commercial purposes;</p> <p>f. Phytosanitary/Veterinary Health Certificate</p> <p>g. Payment of fee.</p> <p>The streamlining/procedures for different wildlife permits and affidavit of undertaking are shown in the corresponding flowcharts, as attached in Annexes M, N, O, P and Q.</p>	
<p>MA</p>	<p>DAO 2004-55</p>	<p>Section 9. Schedule of Fees and Charges</p> <p>The following rates of fees and charges on wildlife shall be collected:</p> <p>9.1 Fees</p> <p>A. Application and Processing fees for</p> <ol style="list-style-type: none"> 1. Gratuitous Permit - P 100.00 2. Wildlife Collector's Permit - P 500.00 3. Wildlife Farm Permit - P 500.00 <p>B. Inspection fee for export/re-export of wildlife</p> <ol style="list-style-type: none"> 1. Commercial P 300.00 2. Non-commercial P 150.00 <p>C. Permit fee</p> <ol style="list-style-type: none"> 1. Wildlife Farm Permit <ol style="list-style-type: none"> i. Large Scale - P 5,000.00 ii. Small Scale - P 2,500.00 2. Local Transport Permit - P 100.00 3. Export/Re-export Permit <ol style="list-style-type: none"> i. Commercial (CITES & Non-CITES) <ol style="list-style-type: none"> a. Fauna and its by-products or derivatives - 3% of export value b. Flora (propagated) - P 300.00 1st 50 pcs. P 2.00/pc. for each additional piece ii. Non-commercial (1-2 pairs of pet, plants not exceeding 12 pcs.) <ol style="list-style-type: none"> a. CITES species - P 250.00/permit 	

- b. Non-CITES species - P 150.00/permit
- 4. Import (CITES species/ non-CITES species) - P350.00/permit
- 5. Re-issuance fee for expired CITES/Non-CITES permit
 - i. CITES permit - P 250.00/permit
 - ii. Non-CITES permit - P 150.00/permit
- 6. Certificate of Wildlife Registration fees for the following endemic, indigenous and exotic species:
 - i. Fauna classified as non-threatened species
 - a. 1- 50 hd. - P 500.00
 - b. 51 and above - P 1,000.00
 - ii. Mammals, birds, reptiles and amphibians classified as threatened

No. of Heads	Fees
1-5	P 3,000
6-10	P 4,000
11-20	P 5,000
21-30	P 6,000
31 & above	P 7,000

- iii. Other fauna and flora classified as threatened species

No. of Heads	Fees
1-20	P 1,000
21 & above	P 2,000

7. Zoo/botanical garden fee - P 500.00

9.2 CHARGES:

- a. Collection under Wildlife Collector's Permit/Wildlife Special Use Permit

Species	Charges
Mammals	P 500/head
Reptiles	P 300/head

		<table border="1"> <tr> <td>Birds</td> <td>Common- P 20/head</td> <td>Threatened- P 1,000/head</td> </tr> <tr> <td>Amphibian</td> <td>P 20/head</td> <td></td> </tr> <tr> <td>Insects</td> <td>e.g. Butterflies/beetles P 20/head</td> <td></td> </tr> <tr> <td>Orchids</td> <td>Common- P 50/pc</td> <td>Threatened- P 200/pc</td> </tr> <tr> <td>Wildlings*</td> <td>P 50/pc</td> <td></td> </tr> <tr> <td>Other plants</td> <td>P 25/pc</td> <td></td> </tr> </table> <p><i>*wildlings except when collected by communities for development projects certified by the DENR field office</i></p> <p>All conservation projects being implemented by the Philippine Government Agency/Office or entity are exempted from payment of charges/fees provided in this Order.</p>	Birds	Common- P 20/head	Threatened- P 1,000/head	Amphibian	P 20/head		Insects	e.g. Butterflies/beetles P 20/head		Orchids	Common- P 50/pc	Threatened- P 200/pc	Wildlings*	P 50/pc		Other plants	P 25/pc		
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MA	RA 9072, National Caves and Cave Resources Management and Protection Act	Section 5(c). Issue permits for the collection and removal of guano and other cave resources which shall be determined in coordination with the DOT, National Museum, concerned LGUs, the scientific community and the academe, with regard to specific caves taking into consideration biodiversity as well as the aesthetic and archaeological value of the cave: Provided, That the permittee shall be required to post a bond to ensure compliance with the provisions of any permit: Provided, further, That any permit issued under this Section shall be revoked by the Secretary when the permittee violates any provision of this Act or fails to comply with any other condition upon which the permit was issued: Provided, furthermore, That the Secretary cannot issue permits for the removal of stalactites and stalagmites, and when it is established that the removal of the resources will adversely affect the value of a significant cave: Provided, finally, That caves located within a protected area shall be subject to the provisions of Republic Act No. 7586 or the National Integrated Protected Areas System Act of 1992;																			
MA	PD 705, Revising Presidential Decree No. 389, Otherwise Known as the "Forestry Reform Code of the Philippines"	Section 20. License agreement, license, lease or permit. No person may utilize, exploit, occupy, possess or conduct any activity within any forest land, or establish and operate any wood-processing plant, unless he has been authorized to do so under a license agreement, lease, license, or permit.																			

MA	PD 705	<p>Section 30. Rationalization of the wood industry. While establishment of wood-processing plants shall be encouraged, their locations and operations shall be regulated in order to rationalize the industry. No new processing plant shall be established unless adequate raw material is available on a sustained-yield basis in the area where the raw materials will come from.</p> <p>The Department Head may cancel, suspend, or phase-out all uneconomical wood-processing plants which are not responsive to the rationalization program of the government.</p>	
MA	PD 705	<p>Section 32. Log production and processing. Unless otherwise decreed by the President, upon recommendation of the National Economic Development Authority, the entire production of logs by all licensees shall, beginning January 1, 1976, be processed locally.</p> <p>A licensee who has no processing plant may, subject to the approval of the Director, enter into a contract with a wood processor for the processing of his logs. Wood processors shall accept for processing only logs cut by, or purchased from, licensees of good standing at the time of the cutting of logs.</p>	
MA	PD 705	<p>Section 34. Industrial Tree Plantations, Tree Farms and Agro-Forestry Farms. A lease for a period of fifty (50) years for the establishment of an industrial tree plantations, tree farm or agro-forestry farm, may be granted by the Department Head, upon recommendation of the Director, to any person qualified to develop and exploit natural resources, over timber or forest lands of the public domain categorized in Section 33(1) hereof except those under paragraphs d and g with a minimum area of one hundred (100) hectares for industrial tree plantations and agro-forestry farms and ten (10) hectares for tree farms: Provided, That the size of the area that may be granted under each category shall, in each case, depend upon the capability of the lessee to develop or convert the area into productive condition within the term of the lease.</p> <p>The lease may be granted under such terms and conditions as the Department Head may prescribe, taking into account, among others, the raw material needs of forest based and other industries and the maintenance of a wholesome ecological balance.</p> <p>Trees and other products raised within the industrial tree plantation, tree farm or agro-forestry farm belong to the lessee who shall have the right to sell, contract, convey, or dispose of said planted trees and other products in any manner he sees fit, in accordance with existing laws, rules and regulations.</p> <p>Reforestation projects of the Government, or portion thereof, which, upon field evaluation, are found to be more suitable for, or can better be developed as industrial tree plantations, tree farms or agro-forestry farms,</p>	

		in terms of benefits to the Government and the general surrounding area, may be the subject of a lease under this Section. [As amended by PD No. 1559]	
PPR	PD 705	Section 36, items: l. No wood, wood products or wood-derived products including pulp paper, paperboard shall be imported if the same are available in required quantities and reasonable prices, as may be certified by the Department Head, from artificial or man-made forests, or local processing plants manufacturing the same; m. No processing plant of whatever nature or type, made of or utilization, as primary materials shall be allowed to be established, expanded or integrated, and operated without a long-term assurance or raw materials source from forest concessions and/or from industrial tree plantations, tree farms or agro-forestry farms in accordance with Section 30 hereof;	
NT	PD 705	Section 59. Citizenship. In the evaluation of applications of corporations, increased Filipino equity and participation beyond the 60% constitutional limitation shall be encouraged. All other factors being equal, the applicant with more Filipino equity and participation shall be preferred.	
MA	PD 705	Section 39. Regulation of Timber Utilization in All Other Classes of Lands and of Processing Plants. - The utilization of timber in alienable and disposable lands, private lands, civil reserve preservations, and all lands containing standing or felled timber including those under the jurisdiction of other government agencies, and the establishment and operation of sawmills and other wood-processing plants, shall be regulated in order to prevent them from being used as shelters for excessive and unauthorized harvests in forest lands, and shall not therefore be allowed except through a license agreement, license, lease or permit.	
MA	PD 705	Section 62. Service contracts. The Department Head, may in the national interest, allow forest products licensees, lessees, or permittees to enter into service contracts for financial, technical, management, or other forms of assistance, in consideration of a fee, with any foreign person or entity for the exploration, development, exploitation or utilization of the forest resources, covered by their license agreements, licenses, leases or permits. Existing valid and binding service contracts for financial, technical, management or other forms of assistance are hereby recognized as such.	
PPR	PD 705	Section 63. Equity sharing.- Every corporation holding a license agreement, license, lease or permit to utilize, exploit, occupy or possess any forest land, or conduct any activity therein, or establish and operate a wood-	

		<p>processing plant, shall within one (1) year after the effectivity of this Code, formulate and submit to the Department Head for approval a plan for the sale of at least twenty percent (20%) of its subscribed capital stock in favor of its employees and laborers.</p> <p>The plan shall be so implemented that the sale of the shares of stock shall be effected by the corporation not later than the sixth year of its operation, or the first year of the effectivity of this Code, if the corporation has been in operation for more than 5 years prior to such effectivity.</p> <p>No corporation shall be issued any license agreement, license, lease or permit after the effectivity of this Code, unless it submits such a plan and the same is approved for implementation within the sixth year of its operation.</p> <p>The Department Head shall promulgate the necessary rules and regulations to carry out the provisions of this section, particularly on the determination of the manner of payment, factors affecting the selling price, establishment of priorities in the purchase of the shares of stock, and the capability of the deserving employees and laborers. The industries concerned shall extend all assistance in the promulgation of policies on the matter, such as the submission of all data and information relative to their operation, personnel management, and asset evaluation.</p>	
PPR	EO 26 s. 1986, Abolishing the Export Duties on All Export Products, Except Logs, Imposed Under Section 514 of the Tariff and Customs Code, as Amended	<p>Section 1. Export duties imposed upon all export products under Section 514 of the Tariff and Customs Code, as amended, are hereby abolished, except the export duty on logs which shall continue to be imposed at twenty (20%) percent of the gross F.O.B. value at the time of shipment based on the prevailing rate of exchange.</p>	
MA	DAO 1999-46, Revised Regulations Governing the Entry and Disposition of Imported logs, Lumber, Veneer, Plywood, other Wood Based Panels, Poles and	<p>Section 3. Who may Import Wood Materials. A holder of Timber License Agreement (TLA), Industrial Forest Management Agreement (IFMA), Wood Processing Plant Permit (WPP) or Certificate of Registration (CR) as wood furniture manufacturer, agent, contractor, or dealer of logs/poles and piles/lumber issued by the DENR, may import wood materials; provided, that, before availing the privilege to import, the holder of the TLA, IFMA, and/or WPP shall first have his current local Log, commercial Poles and Piles and/or Lumber Dealer's permit recorded or registered with the PWPA and then or subsequently stamped by the Office of the Regional Executive Director (RED) concerned as a valid Authority to Import wood materials; Provided</p>	

	Piles, Pulpwood and Wood Chips	further an existing wood furniture manufacturer, agent, contractor, or dealer who is not a holder of a TLA, IFMA or WPP shall first secure the registration requirements specified under Section 8 herein.	
MA	EO 23 s. 2011, Declaring a Moratorium on the Cutting and Harvesting of Timber in Natural and Residual Forests and Creating the Anti-illegal Logging Task Force	<p>Section 2. Moratorium on the Cutting and Harvesting of Timber in the Natural Forests – A moratorium on the cutting and harvesting of timber in the natural and residual forests of the entire country is hereby declared unless lifted after the effectivity of this Executive Order. In order to implement this policy, the following are hereby instituted:</p> <p>2.1 The DENR is henceforth hereby prohibited from issuing logging contracts/agreements in all natural and residual forests, such as Integrated Forest Management Agreements (IFMA), Socialized Integrated Forest Management Agreements (SIFMA), Community-Based Forest Management Agreement (CBFMA) and other agreements/contracts with logging components in natural and residual forests;</p> <p>2.2 The DENR is likewise prohibited from issuing/renewing tree cutting permits in all natural and residual forests nationwide, except for clearing of road right of way by the DPWH, site preparation for tree plantations, silvicultural treatment and similar activities, provided that all logs derived from the said cutting permits shall be turned over to the DENR for proper disposal. Tree cutting associated with cultural practices pursuant to the indigenous Peoples Right Act (IPRA Law) may be allowed only subject to strict compliance with existing guidelines of the DENR;</p> <p>2.3 The DENR shall review/evaluate all existing IFMAs, SIFMAs, CBFMAs and other forestry agreements/contracts and immediately terminate/cancel the agreements of those who have violated the terms and conditions of their contracts/agreements as well as existing forest laws, rules and regulations at least twice. Furthermore, said agreements shall likewise be immediately terminated/cancelled if the holders thereof engage in logging activities in any natural or residual forest or abet the commission of the same;</p> <p>2.4 The DENR shall strictly implement a forest certification system in accordance with the United Nations standard/guidelines to ascertain the sustainability of legal sources and chain of custody of timber and wood products, nationwide;</p> <p>2.5 The DENR shall close and not allow to operate all sawmills, veneer plants and other wood processing plants who are unable to present proof of sustainable sources of legally cut logs for a period of at least five (5) years within one month from effectivity of this Executive Order:</p>	
MA	DAO 2004-29, Revised Rules and Regulations	Section 5. Qualifications of Participants.	

	for the Implementation of Executive Order 263, otherwise known as the Community-Based Forest Management Strategy	<p>The Principal participants in CBFMP shall be the local communities as represented by their organizations, herein referred to as People's Organizations</p> <p>In order to participate in the CBFMP, a PO must have the following qualifications:</p> <p>1.Members shall be Filipino Citizens</p> <p>2.Members may either be:</p> <p>a.Actually tilling portions of the area to be awarded;</p> <p>b.Traditionally utilizing the resource for all or substantial portion of their livelihood; or</p> <p>c.Actually residing within or adjacent to, and are dependent on and actually developing portions of the areas to be awarded.</p>	
MA	DAO 2009-16, DAO 2004-28, Rules and Regulations Governing the use of Forestlands for Tourism Purposes (FLAgT)	<p>Section 6. Qualified Applicants</p> <p>The following are qualified to apply for Forest Lands for Tourism Purposes (FLAgT):</p> <p>6.1 A Filipino of legal age</p> <p>6.2 An association, corporation, cooperative partnership or juridical person at least (60%) of the capital of which is owned by Filipino Citizens, whether private or public, duly created and/or registered under Philippine laws who are financially capable to develop the applied area for tourism purposes.</p>	
MA	DAO 2004-59, Rules and Regulations Governing the Special Uses of Forestlands	<p>Section 6. Qualified Applicants</p> <p>The following are qualified to apply for Special Forest landuse Agreements (FLAg):</p> <p>6.1 A Filipino of legal age</p> <p>6.2 An association, corporation, cooperative partnership or juridical person at least (60%) of the capital of which is owned by Filipino Citizens, whether private or public, duly created and/or registered under Philippine laws which is or has the capability to mobilize finances, to develop the area applied for FLAg.</p>	
MA, PPR	DAO 1999-34, Rules and Regulations Governing the	Sec. 5 Application for Foreshore Lands	

	Administration, Management and Development of Foreshore Areas, Marshy Lands and Other Lands Bordering Bodies of Water	<p>Foreshore Lease Contract shall not be issued or renewed unless an application therefore has been filed and in accordance with previous Order and provided further that an application for renewal shall be filed at least Sixty (60) days prior to its expiration.</p> <p>Sec. 7 Who May Apply</p> <ol style="list-style-type: none"> 1. Any Filipino citizen of lawful age. 2. Corporations, associations or partnerships duly constituted under the laws of the Philippines; at least sixty per centum (60%) of the capital is owned by Filipino citizens. <p>Sec. 37 Transfer of Stock of Corporation. No stockholder can transfer his/her shares of stocks to any person or entity without any prior written approval of the Secretary. Provided further, that no transfer of stock shall be allowed if it will change the citizenship structure in violation of the Constitution or any national policy on foreign investment; Provided finally, that no transfer of stock shall be allowed if it will allow the corporation to be owned, controlled or managed by persons or groups of persons disqualified to exercise the privilege therein granted or who are incapable of sound grazing management, protection, conservation and development.</p>	
MA, NT	DAO 1999-36, Revised Rules and Regulations Governing the Administration, Management, Development and Disposition of Forest Lands Used for Grazing Purposes	<p>Sec. 9 Application for Forest Land Grazing Management Agreement. Forest Land Grazing Management Agreement (FLGMA) shall not be issued or renewed, unless an application therefor has been filed and approved in accordance with the provisions of this Order. Provided, that an application for renewal shall be filed at least sixty (60) days prior to its expiration.</p> <p>Sec. 10 Who May Apply. Only the following persons may file an application for FLGMA:</p> <ol style="list-style-type: none"> a) Citizens of the Philippines who are of legal age at the time of the filing of the application; b) Corporations, partnerships, associations and such other juridical persons as may be recognized and registered in accordance with the laws of the Philippines, at least sixty (60) percent of the capital of which is owned, controlled and managed by citizens of the Philippines; and c) Financially and technically capable. 	
MA	DAO 1999-53, Regulations Governing the Integrated Forest	<p>Sec. 9 Qualifications of Applicants. The Applicants for IFMA shall be:</p> <ol style="list-style-type: none"> (a) A Filipino citizen of legal age; or, 	

	Management Program (IFMP)	(b) Partnership, cooperative or corporation whether public or private, duly registered under Philippine laws. However, in the case of application for conversion of TLA into IFMA, an automatic conversion after proper evaluation shall be allowed, provided the TLA holder shall have signified such intention prior to the expiry of the TLA, PROVIDED further, that the TLA holder has showed satisfactory performance and have complied in the terms of condition of the TLA and pertinent rules and regulations.	
MA	DAO 2000-21, Revised Guidelines In The Issuance Of Private Land Timber Permit/Special Private Land Timber Permit (PLTP/SPLTP)	SEC. 2 Private Land Timber Permit/Special Private Land Timber Permit (PLTP/SPLTP) - No person, association or corporation shall cut, gather, transport, dispose and/or utilize naturally grown trees or parts thereof or planted premium tree species, inside titled private lands unless authorized to do so under a PLTP/SPLTP issued by the Secretary, DENR or his/her authorized representative. SEC. 3. Persons qualified for a permit - Only the owner of a private land defined under this Order may qualify to apply for and be granted a PLTP/SPLTP.	
MA, PPR	DAO 1989-04, Revised Regulations Governing Rattan Resources	SEC. 3 Rattan Harvesting/Cutting. Rattan may be cut, gathered, transported and disposed only through a license issued by the Department of Environment and Natural Resources (DENR) following the guidelines prescribed in these regulations. SEC. 8. Organization of Areas Subject of Competitive Bidding. Subject to the special provisions for the processing of rattan applications within reserved/occupied by cultural communities, areas previously identified as available for the harvesting of rattan shall, before they are advertised for bidding or considered for disposition under this order, be organized into production units or blocks of appropriate sizes taking into consideration among others, the quantity of the available resources, the raw material needs of dependent industries, and such other socio-economic factors as are essential to national economic recovery, development, and progress. As much as possible, the delineation of rattan production blocks shall consider natural boundaries. PROVIDED That, the Department shall identify which production block (s) are for the big or small entrepreneurs; PROVIDED FURTHER, That 55 percent of the rattan production area of any region shall be allocated to the P250,000.00 or less. The big entrepreneurs with a paid-up capitalization exceeding P250,000.00 shall be allocated 45 percent of the region's rattan production area; PROVIDED FINALLY, That, at least Ten Percent 10% of the region's total rattan production shall be reserved for local consumption/use where there are existing users of the product within the region. SEC. 10 Who May Qualify. The following may qualify for prequalification with preferential rights to Filipinos pursuant to the provisions of the Constitution:	

		<p>10.1 Corporations, partnerships, or associations organized under the laws of the Philippines with at least 60 % of the capital stock owned by Filipino Citizens.</p> <p>SEC. 11 Prequalification Requirements. In addition to such other documents as are specified in the prequalification forms, the following requirements shall be submitted by prospective bidders.</p> <p>11.9 For partnerships/corporations:</p> <p>11.9.6 Statement of undertaking to employ wherever applicable members of cultural communities and local residents in its operations;</p>	
MA	DAO 2000-29, Guidelines Regulating The Harvesting And Utilization Of Forest Products Within Community-Based Forest Management Areas	<p>Section 3. Scope and Coverage. Utilization of naturally grown and/or planted forest resources shall be covered by Resource Use Permit (RUP) may be issued to holders of tenurial instruments under the CBFM program of DENR who intend to harvest/utilize forest products for commercial use, provided that they have an affirmed Community Resources Management Framework (CRMF) and Annual Work Plan (AWP).</p>	
MA	DAO 1996-24, Rules and Regulations Governing the Socialized Industrial Forest Management Program	<p>Sec. 7 Qualified Applicants. The following individuals and organizations who meet the following qualifications may participate in the program:</p> <p>Individuals/single family units who are Filipino citizens, of legal age and preferably residents of the municipality where the area is located. Actual occupants of the area will be given priority. Provided that, in case of government employees, they shall qualify with the consent of their respective heads of agency.</p> <p>7.2 Cooperatives and associations whose members are Filipino citizens and residents of the province where the SIFMA site is located, and duly registered with the Cooperative Development Authority or Securities and Exchange Commission, as the case may be. These cooperatives and associations must show proof of financial and technical capacity to develop the area.</p>	
MA, PPR, NT, SMBD	RA 10690, The Forestry Profession Act	<p>SECTION 14. Qualifications of an Applicant for the Licensure Examination. – An applicant for the licensure examination for foresters shall satisfactorily prove possession of the following qualifications:</p>	

		<p>(a) Philippine citizenship, or in the case of a foreigner, citizenship of a country or state that has a reciprocity agreement with the Philippines on the practice of forestry;</p> <p>(b) Good moral character;</p> <p>(c) Bachelor's degree in forestry or forest products engineering, or agroforestry conferred by a school, college, or university recognized and duly accredited by the CHED, or a graduate of Bachelor's degree in forest product engineering, or Bachelor of Science in Agroforestry with at least seventy (70) units of core subjects in forestry and related subjects; and</p> <p>(d) No conviction of an offense involving moral turpitude by a court of competent jurisdiction.</p> <p>SECTION 25. Lawful Practitioners of Forestry. – The following natural persons and juridical persons shall be authorized to practice the forestry profession:</p> <p>(a) Natural persons:</p> <p>(1) Duly registered foresters and holders of valid certificates of registration and valid professional identification cards issued by the Board and the PRC pursuant to this Act; and</p> <p>(2) Holders of valid temporary or special permits issued by the Board and the PRC to foreign licensed foresters pursuant to this Act.</p> <p>(b) Juridical persons:</p> <p>(1) Single proprietorship whose owner and staff are registered foresters;</p> <p>(2) Partnership duly registered with the Securities and Exchange Commission (SEC) as professional partnership pursuant to the New Civil Code, and composed of partners who are all duly registered foresters;</p> <p>(3) Corporation duly registered with the SEC as engaged in the practice of forestry with officers and Board of Directors who are all registered foresters; and</p> <p>(4) Association duly registered with the SEC as nonprofit and nonstock corporation whose officers, Board of Trustees, and members are all registered foresters.</p>	
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PPR	RA 7942, Philippine Mining Act of 1995	<p>Section 35. Terms and Conditions. - The following terms, conditions, and warranties shall be incorporated in the financial or technical assistance agreement, to wit:</p> <p>f. Representations and warranties that, except for payments for dispositions for its equity, foreign investments in local enterprises which are qualified for repatriation, and local supplier's credits and</p>	

		<p>such other generally accepted and permissible financial schemes for raising funds for valid business purposes, the contractor shall not raise any form of financing from domestic sources of funds, whether in Philippine or foreign currency, for conducting its mining operations for and in the contract area;</p> <p>i. Preferential use of local goods and services to the maximum extent practicable;</p> <p>j. A stipulation that the contractors are obligated to give preference to Filipinos in all types of mining employment for which they are qualified and that technology shall be transferred to the same;</p>	
MA	RA 7942	<p>Section 39. Option to Convert into a Mineral Agreement. - The contractor has the option to convert the financial or technical assistance agreement to a mineral agreement at any time during the term of the agreement, if the economic viability of the contract area is found to be inadequate to justify large-scale mining operations, after proper notice to the Secretary as provided for under the implementing rules and regulations: Provided, That the mineral agreement shall only be for the remaining period of the original agreement.</p> <p>In the case of a foreign contractor, it shall reduce its equity to forty percent (40%) in the corporation, partnership, association, or cooperative. Upon compliance with this requirement by the contractor, the Secretary shall approve the conversion and execute the mineral production-sharing agreement.</p>	
MA	RA 7942	<p>Section 43. Quarry Permit. - Any qualified person may apply to the provincial/city mining regulatory board for a quarry permit on privately-owned lands and/or public lands for building and construction materials such as marble, basalt, andesite, conglomerate, tuff, adobe, granite, gabbro, serpentine, inset filling materials, clay for ceramic tiles and building bricks, pumice, perlite and other similar materials that are extracted by quarrying from the ground. The provincial governor shall grant the permit after the applicant has complied with all the requirements as prescribed by the rules and regulations.</p> <p>The maximum area which a qualified person may hold at any one time shall be five hectares (5 has.): Provided, That in large-scale quarry operations involving cement raw materials, marble, granite, sand and gravel and construction aggregates, a qualified person and the government may enter into a mineral agreement as defined herein.</p> <p>A quarry permit shall have a term of five (5) years, renewable for like periods but not to exceed a total term of twenty-five (25) years. No quarry permit shall be issued or granted on any area covered by a mineral agreement or financial or technical assistance agreement.</p>	

MA	RA 7942	<p>Section 55. Minerals Processing Permit. - No person shall engage in the processing of minerals without first securing a minerals processing permit from the Secretary. Minerals processing permit shall be for a period of five (5) years renewable for like periods but not to exceed a total term of twenty-five (25) years. In the case of mineral ores or minerals produced by the small-scale miners, the processing thereof as well as the licensing of their custom mills, or processing plants shall continue to be governed by the provisions of Republic Act No. 7076.</p> <p>Section 56. Eligibility of Foreign-owned/-controlled Corporation. A foreign-owned/-controlled corporation may be granted a mineral processing permit.</p>	
PPR	RA 7942	<p style="text-align: center;">CHAPTER X DEVELOPMENT OF MINING COMMUNITIES, SCIENCE AND MINING TECHNOLOGY</p> <p>Section 57. Expenditure for Community Development and Science and Mining Technology. - A contractor shall assist in the development of its mining community, the promotion of the general welfare of its inhabitants, and the development of science and mining technology.</p> <p>Section 58. Credited Activities. - Activities that may be credited as expenditures for development of mining communities, and science and mining technology are the following:</p> <ul style="list-style-type: none"> a. Any activity or expenditure intended to enhance the development of the mining and neighboring communities of a mining operation other than those required or provided for under existing laws, or collective bargaining agreements, and the like; and b. Any activity or expenditure directed towards the development of geosciences and mining technology such as, but not limited to, institutional and manpower development, and basic and applied researches. Appropriate supervision and control mechanisms shall be prescribed in the implementing rules and regulations of this Act. <p>Section 59. Training and Development.- A contractor shall maintain an effective program of manpower training and development throughout the term of the mineral agreement and shall encourage and train Filipinos to participate in all aspects of the mining operations, including the management thereof. For highly-technical and specialized mining operations, the contractor may, subject to the necessary government clearances, employ qualified foreigners.</p>	

		<p>Section 60. Use of Indigenous Goods, Services and Technologies. - A contractor shall give preference to the use of local goods, services and scientific and technical resources in the mining operations, where the same are of equivalent quality, and are available on equivalent terms as their imported counterparts.</p> <p>Section 62. Employment of Filipinos. - A contractor shall give preference to Filipino citizens in all types of mining employment within the country insofar as such citizens are qualified to perform the corresponding work with reasonable efficiency and without hazard to the safety of the operations. The contractor, however, shall not be hindered from hiring employees of his own selection, subject to the provisions of Commonwealth Act No. 613, as amended, for technical and specialized work which, in his judgment and with the approval of the Director, requires highly-specialized training or long experience in exploration, development or utilization of mineral resources: Provided, That in no case shall each employment exceed five (5) years or the payback period as represented in original project study, whichever is longer: Provided, further, That each foreigner employed as mine manager, vice-president for operations or in an equivalent managerial position in charge of mining, milling, quarrying or drilling operation shall:</p> <ol style="list-style-type: none"> a. Present evidence of his qualification and work experience; or b. Shall pass the appropriate government licensure examination; or c. In special cases, may be permitted to work by the Director for a period not exceeding one (1) year: Provided, however, That if reciprocal privileges are extended to Filipino nationals in the country of domicile, the Director may grant waivers or exemptions. 	
NT	RA 7942	<p>Section 81. Government Share in Other Mineral Agreements. - The share of the Government in co-production and joint-venture agreements shall be negotiated by the Government and the contractor taking into consideration the: (a) capital investment of the project, (b) risks involved, (c) contribution of the project to the economy, (d) other factors that will provide for a fair and equitable sharing between the Government and the contractor. The Government shall also be entitled to compensations for its other contributions which shall be agreed upon by the parties, and shall consist, among other things, the contractor's foreign stockholders arising from dividend or interest payments to the said foreign stockholders, in case of a foreign national, and all such other taxes, duties and fees as provided for under existing laws.</p> <p>The Government share in financial or technical assistance agreement shall consist of, among other things, the contractor's corporate income tax, excise tax, special allowance, withholding tax due from the contractor's</p>	

		<p>foreign stockholders arising from dividend or interest payments to the said foreign stockholder in case of a foreign national and all such other taxes, duties and fees as provided for under existing laws.</p> <p>The collection of Government share in financial or technical assistance agreement shall commence after the financial or technical assistance agreement contractor has fully recovered its 33 pre-operating expenses, exploration, and development expenditures, inclusive.</p>	
MA, NT	DAO 2010-21, Revised Implementing Rules and Regulations of RA 7942, otherwise known as the Philippine Mining Act of 1995.	<p>Section 5. Definition of Terms</p> <p>. “Qualified Person” means any Filipino citizen of legal age and with capacity to contract; or a corporation, partnership, association or cooperative organized or authorized for the purpose of engaging in mining, with technical and financial capability to undertake mineral resources development and duly registered in accordance with law, at least sixty percent (60%) of the capital of which is owned by Filipino citizens: Provided, That a legally organized foreign-owned corporation shall be deemed a Qualified Person for purposes of granting an Exploration Permit, FTAA or Mineral Processing Permit only.</p>	
MA, NT	<p>RA 7942</p> <p>DMO 1999-10</p> <p>Guidelines in Determination of Qualified Persons for Mining Applications and Mining Rights</p>		c/o MGB, LAS
MA	DAO 2010-21	<p>Section 11. Mining Operations within Mineral and Government Reservations Mining operations in Mineral Reservations shall be undertaken by the Department or through a Qualified Person under any of the following modes:</p> <ul style="list-style-type: none"> a. Exploration Permit; b. Mineral Agreement; c. FTAA; d. Small-Scale Mining Permit; and e. Quarry Permit. 	
MA	DAO 2010-21	<p>Section 32. Eligibility of Applicant for Mineral The following Qualified Person is eligible for a Mineral Agreement:</p>	

		<p>a. In case of an individual - must be a Filipino citizen of legal age and with capacity to contract; or</p> <p>b. In case of a corporation, partnership, association or cooperative - must be organized or authorized for the purpose of engaging in mining, duly registered in accordance with law, at least sixty percent (60%) of the capital of which is owned by Filipino citizens.</p>	
PPR, NT	DAO 2010-21	<p>Section 39. Terms and Conditions of a Mineral Agreement</p> <p>The following terms and conditions shall be incorporated in the Mineral Agreement:</p> <p>g. A stipulation that the Contractor shall give preference to goods and services produced and offered in the Philippines of comparative quality and cost. In particular, the Contractor shall give preference to qualified Filipino construction enterprises, construction materials and skills available in the Philippines, Filipino sub-contractors for road construction and transport</p> <p>h. A stipulation that the Contractor is obliged to give preference to Filipinos in all types of mining employment for which they are qualified and that the technology shall be transferred to the same;</p> <p>l. A stipulation requiring the Contractor to dispose of the minerals and by-products produced at the highest market price and to negotiate for more advantageous terms and conditions subject to the right to enter into long-term sales or marketing contracts or foreign exchange and commodity hedging contracts which the Government acknowledges to be acceptable notwithstanding that the sale price of the minerals may from time to time be lower, or the terms and conditions of sales are less favorable, than that available elsewhere: Provided, That the Bureau is furnished a copy of the said Sales Agreement subject to confidentiality between the Bureau and the Contractor;</p> <p>o. A stipulation that alien employment shall be limited to technologies requiring highly specialized training and experience subject to the 34 required approval under existing laws, rules and regulations;</p> <p>p. A stipulation that in every case where foreign technologies are utilized and where alien executives are employed, an effective program of training understudies shall be undertaken;</p> <p>t. A stipulation that the Contractor shall contribute to the development of the host and neighboring communities of the mining area, local geoscience and mining technology in accordance with Chapter XIV hereof;</p>	

PPR, NT	DAO 2010-21	<p>Section 56. Terms and Conditions of an FTAA</p> <p>f. Representations and warranties that, except for payments for dispositions for its equity, foreign investments in local enterprises which are qualified for repatriation, and local supplier's credits and such other generally accepted and permissible financial schemes for raising funds for valid business purposes, the Contractor shall not raise any form of financing from domestic sources of funds, whether in Philippine or foreign currency, for conducting its mining operations for and in the contract/mining area;</p> <p>i. A stipulation that the Contractor shall give preference to goods and services produced and offered in the Philippines of comparative quality and cost. In particular, the Contractor shall give preference to qualified Filipino construction enterprises, construction materials and skills available in the Philippines, Filipino sub-contractors for 45 road construction and transportation and Philippine household equipment, furniture and food;</p> <p>j. A stipulation that the Contractor is obliged to give preference to Filipinos in all types of mining employment for which they are qualified and that the technology shall be transferred to the same;</p> <p>n. A stipulation requiring the Contractor to dispose of the minerals and by-products produced at the highest market price and to negotiate for more advantageous terms and conditions subject to the right to enter into long-term sales or marketing contracts or foreign exchange and commodity hedging contracts which the Government acknowledges to be acceptable notwithstanding that the sale price of the minerals may from time to time be lower, or the terms and conditions of sales are less favorable, than that available elsewhere: Provided, That the Bureau is furnished a copy of the said Sale Agreement subject to confidentiality between the Bureau and the Contractor;</p> <p>q. A stipulation that alien employment shall be limited to technologies requiring highly specialized training and experience subject to the required approval under existing laws, rules and regulations;</p> <p>r. A stipulation that in every case where foreign technologies are utilized and where alien executives are employed, an effective program of training understudies shall be undertaken;</p>	
MA	DAO 2010-21	<p>Section 65. Conversion of an FTAA into a Mineral Agreement</p> <p>Subject to verification and validation by the Bureau and to the final approval of the Secretary, where the economic viability of the ores in the contract area is found to be inadequate to justify large-scale mining operations, the Contractor may, at its option, convert totally or partially its FTAA into a Mineral Agreement. In such cases, the Contractor shall manifest its request for conversion by filing a Letter of Intent with the</p>	

		<p>Department, copy furnished the Bureau/Regional Office concerned. All revisions to the FTAA required by its conversion into a Mineral Agreement shall be submitted to the Secretary within six (6) months from the date of filing the Letter of Intent.</p> <p>In the case of a foreign Contractor, it shall be given a period of one (1) year from the date of filing the Letter of Intent to satisfy the sixty percent (60%) Filipino equity requirement, subject to an extension of another one (1) year as may be approved by the Secretary taking into consideration the economic and other relevant factors. Upon compliance by the Contractor with all the requirements and payment of conversion fee (Annex 5-A), the application for conversion shall be evaluated and approved subject to Chapter VI hereof and all other applicable provisions of the Act and these implementing rules and regulations: Provided, That the term of the new Mineral Agreement shall be equivalent to the remaining period of the FTAA. A copy of the Mineral Agreement shall be submitted to the President. Failure of the Contractor to meet the sixty percent (60%) equity requirement within the prescribed period shall cause the forfeiture of the Contractor's right to such conversion.</p>																		
	<p>DAO 2010-21</p>	<p>Section 69. General Provisions</p> <p>Quarry sand and gravel, guano and gemstone resources in private and/or public lands may be extracted, removed, disposed and/or utilized: Provided, That in large-scale quarry operations involving cement raw materials, marble, granite and sand and gravel and construction aggregates, any Qualified Person may apply for a Mineral Agreement subject to the provisions of Chapter VI of these implementing rules and regulations: Provided, further, That a large-scale quarry operation, including a sand and gravel operation, during the Development/Construction/ Operating Period under a Mineral Agreement, shall involve a mechanized operation and a final mining area not exceeding the following:</p> <table data-bbox="742 1065 1545 1428"> <tr> <td rowspan="4">For sand and gravel including lahar</td> <td>Individual</td> <td>-</td> <td>40 hectares</td> </tr> <tr> <td>Corporation</td> <td></td> <td></td> </tr> <tr> <td>/</td> <td>-</td> <td>100 hectares</td> </tr> <tr> <td>Partnership/ Association/ Cooperative</td> <td></td> <td></td> </tr> <tr> <td>For marble, granite and/or construction</td> <td>Individual</td> <td>-</td> <td>200 hectares</td> </tr> </table>	For sand and gravel including lahar	Individual	-	40 hectares	Corporation			/	-	100 hectares	Partnership/ Association/ Cooperative			For marble, granite and/or construction	Individual	-	200 hectares	
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	Partnership/ Association/ Cooperative																			
For marble, granite and/or construction	Individual	-	200 hectares																	

		<p>aggregates Corporation / Partnership/ Association/ Cooperative - 500 hectares</p> <p>For cement raw materials such as Individual - 1,000 hectares</p> <p>limestone, shale and silica Corporation / Partnership/ Association/ Cooperative - 2,000 hectares</p> <p>subject to the following conditions:</p> <ol style="list-style-type: none"> 1. That the mining applicant/Contractor may file/declare more than one (1) final mining area in its applied area/contract area: <i>Provided</i>, That for sand and gravel, each additional final mining area shall further require the approval by any two (2) of the <i>Sanggunian</i> concerned in the form of a formal Resolution; 2. That each final mining area shall be covered by a Declaration of Mining Project Feasibility supported by a Mining Project Feasibility Study, Development/ Utilization Work Program and application for survey; 3. That the aggregate of the final mining areas for all Mineral Agreements held by the Contractor and areas covered by Mineral Agreement applications, if any, shall not exceed the maximum limits set under Section 33 hereof; and 4. That for sand and gravel/lahar deposits, the Mineral Agreement shall exclude the Exploration Period and immediately proceed to the Development and/or Operation Periods, subject to compliance with the applicable requirements: <i>Provided</i>, That Mineral Agreement applicants concerned shall, within six (6) months, amend their applications to conform with this Section. For this purpose, a final mining area means the contract area or portion(s) thereof properly delineated and surveyed by the mining applicant/Contractor for development and actual quarrying/mining operation, including sites for support/ancillary facilities. 	
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<p>MA</p>	<p>DAO 2010-21</p>	<p>Section 71. Quarry Permit</p> <p>Any Qualified Person may apply for a Quarry Permit with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for the extraction, removal and disposition of quarry resources covering an area of not more than five (5) hectares, and a production rate of not more than fifty thousand (50,000) tons annually and/or whose project cost is not more than Ten Million Pesos (PhP10,000,000.00), for a term of five (5) years from the date of issuance thereof, renewable for like period but not to exceed a total term of twenty-five (25) years: Provided, That application for renewal shall be filed before the expiry date of the Permit: Provided, further, That the Permit Holder has complied with all the terms and conditions of the Permit as provided herein and has not been found guilty of violation of any provision of the Act and these implementing rules and regulations: Provided, furthermore, That no Quarry Permit shall be issued or granted on any area covered by a Mineral Agreement or FTAA, except on areas where a written consent is granted by the Mineral Agreement or FTAA Contractor: Provided, finally, That existing Quarry Permits at the effectivity of Department Administrative Order No. 99-57 under which the production rate is more than fifty thousand (50,000) tons annually and/or whose project cost is more than Ten Million Pesos(PhP10,000,000.00) shall not be renewed but shall be given preferential right to a Mineral Agreement application which shall be evaluated and approved in accordance with Chapter VI hereof and all other applicable provisions of the Act and these implementing rules and regulations.</p>	
<p>MA</p>	<p>DAO 2010-21</p>	<p>Section 72. Sand and Gravel Permits</p> <p>a. Commercial Sand and Gravel Permit</p> <p>Any Qualified Person may apply for a Commercial Sand and Gravel Permit with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for the extraction, removal and disposition of sand and gravel and other loose or unconsolidated materials which are used in their natural state without undergoing processing covering an area of not more than five (5) hectares for a term of one (1) year from date of issuance thereof, renewable for like period and in such quantities as may be specified in the Permit: Provided, That only one (1) Permit shall be granted to a Qualified Person in a municipality at any one time under such terms and conditions as provided herein.</p> <p>b. Industrial Sand and Gravel Permit</p> <p>Any Qualified Person may apply for an Industrial Sand and Gravel Permit (MGB Form Nos. 8-1 or 8-1A and 8-2 or 8-2A) with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory</p>	

		<p>Board for the extraction, removal and disposition of sand and gravel and other loose or unconsolidated materials that necessitate the use of mechanical processing covering an area of not more than five (5) hectares at any one time for a term of five (5) years from date of issuance thereof, renewable for like periods but not to exceed a total term of twenty-five (25) years: Provided, That any Qualified Person may apply for an Industrial Sand and Gravel Permit with the Regional Director through the Regional Office for areas covering more than five (5) hectares but not to exceed twenty (20) hectares at any one time for a term of five (5) years from date of issuance thereof, renewable for like periods but not to exceed a total term of twenty-five (25) years: Provided, further, That only one (1) Permit shall be granted to a Qualified Person in a municipality at any one time under such terms and conditions as provided herein.</p> <p>c. Exclusive Sand and Gravel Permit</p> <p>Any Qualified Person may apply for an Exclusive Sand and Gravel Permit (MGB Form No. 8-4B) with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for extraction, removal and utilization of sand and gravel and other loose or unconsolidated materials from public land for its own use covering an area of not more than one (1) hectare for a nonrenewable period not exceeding sixty (60) calendar days and a maximum volume of fifty (50) cubic meters: Provided, That there will be no commercial disposition thereof</p>	
MA	DAO 2010-21	<p>Section 73. Gratuitous Permits</p> <p>a. Government Gratuitous Permit</p> <p>Any Government entity/instrumentality in need of quarry, sand and gravel or loose/unconsolidated materials in the construction of building(s) and/or infrastructure for public use or other purposes may apply for a Government Gratuitous Permit (MGB Form No. 8-3B) with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for a period coterminous with the construction stage of the project but not to exceed one (1) year in public/private land(s) covering an area of not more than two (2) hectares. The applicant shall submit a project proposal stating where the materials to be taken shall be used and the estimated volume needed.</p> <p>b. Private Gratuitous Permit</p> <p>Any landowner may apply for a Private Gratuitous Permit with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for the extraction, removal and utilization of quarry, sand and gravel or loose/unconsolidated materials from his/her land for a non-renewable period of sixty</p>	

		(60) calendar days: Provided, That there is adequate proof of ownership and that the materials shall be for personal use.	
MA	DAO 2010-21	<p>Section 81. Guano Permit</p> <p>Any Qualified Person, whose domicile is within the municipality where the area applied for is located, may apply for a Guano Permit with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for the extraction, removal, disposition, and/or utilization of loose unconsolidated guano and other organic fertilizer deposits in specific caves and/or confined sites for a term of one (1) year or upon the extraction of the quantity as specified in the Permit: Provided, That only one (1) Guano Permit shall be issued for the same cave or area: Provided, further, That the maximum area for the Guano Permit that a Qualified Person may hold at any one (1) time shall not be more than five (5) hectares.</p>	
MA	DAO 2010-21	<p>Section 88. Gemstone Gathering Permit</p> <p>Any Qualified Person may apply for a Gemstone Gathering Permit with the Provincial Governor/City Mayor through the Provincial/City Mining Regulatory Board for the extraction, removal and utilization of loose stones useful as gemstones for a term not exceeding one (1) year from the date of issuance thereof, renewable for like periods: Provided, That the application for renewal shall be filed before the expiry date of the Permit: Provided, further, That the Permit Holder has complied with all the terms and conditions of the original Permit as provided herein and has not been found guilty of violation of any provision of the Act and these implementing rules and regulations.</p>	
MA	DAO 2010-21	<p>Section 109. General Provisions</p> <p>No person shall engage in the processing of minerals without a Mineral Processing Permit (MGB Form No. 11-1). In the case of the small-scale miners, the processing of the mineral ores and minerals they produced, as well as the licensing of their custom mills or processing plants, notwithstanding the provisions of Section 103 hereof, shall continue to be governed by the provisions of R.A. No. 7076 and P.D. No. 1899 and their implementing rules and regulations. In the case of the Contractors, holders of Quarry and Industrial Sand and Gravel Permits, the approved Work Program for the production period is sufficient requirement for them to process their minerals in lieu of the Mineral Processing Permits (MPPs). Those who are presently engaged in the said activity shall secure an MPP within six (6) months from the effectivity of Department Administrative Order No. 96-40. The term of an MPP shall be for a period of five (5) years from date of issuance thereof, renewable for like periods but not to exceed a total term of twenty-five (25) years: Provided, That no renewal of Permit shall be allowed unless the Permit Holder has complied with all the terms and conditions of the</p>	

		Permit and has not been found guilty of violation of any provision of the Act and these implementing rules and regulations.	
PPR	DAO 2010-21	<p>Section 113. Terms and Conditions of a Mineral Processing Permit</p> <p>k. The Permit Holder shall give preference to goods and services produced and offered in the Philippines of comparative quality and cost. In particular, the Contractor shall give preference to qualified Filipino construction enterprises, construction materials and skills available in the Philippines, Filipino sub-contractors for road construction and transportation and Philippine household equipment, furniture and food;</p> <p>l. The Permit Holder shall give preference to Filipinos in all types of employment for which they are qualified and that the technology shall be transferred to the same;</p> <p>m. In case of foreign-owned/controlled corporation, representations and warranties that, except for payments for dispositions for its equity, foreign investments in local enterprises which are qualified for repatriation, and local supplier's credits and such other generally accepted and permissible financial schemes for raising funds for valid business purposes, the Permit Holder shall not raise any form of financing from domestic sources of funds, whether in Philippine or foreign currency, for conducting its mineral processing;</p> <p>n. Alien employment shall be limited to technologies requiring highly specialized training and experience subject to the required approval under existing laws, rules and regulations;</p> <p>o. In every case where foreign technologies are utilized and where alien executives are employed, an effective program of training understudies shall be undertaken;</p>	
MA	DAO 2010-21	<p>Section 128. General Provisions</p> <p>No person shall engage in the trading of minerals/mineral products and by-products either locally or internationally, unless registered with the DTI and accredited by the Department, with a copy of said registration and accreditation submitted to the Bureau. The traders, dealers and retailers of minerals/mineral products/by-products who are not Contractors/Permit Holders/mining right holders are henceforth required to be accredited by the Department.</p> <p>Contractors/Permit Holders are considered to be registered and accredited for the purpose of trading minerals/mineral products and by-products during the effectivity of their Permits or mining rights.</p>	
PPR	DAO 2010-21	CHAPTER XIV	

DEVELOPMENT OF MINING COMMUNITIES, SCIENCES AND MINING TECHNOLOGY

Section 134. Development of Mining Community, Mining Technology and Geosciences, and Institutionalization of Public Awareness and Education on Mining and Geosciences

- a. The Contractor/Permit Holder/Lessee shall assist in the development of the host and neighboring communities in accordance with its SDMP to promote the general welfare of the inhabitants living therein. Host community refers to the barangay(s) where the mining area is located, and neighboring community refers to the barangay(s) adjacent to the host community;
- b. The Contractor/Permit Holder/Lessee shall develop a program for the advancement of mining technology and geosciences to build up resources and mineral discoveries, improve operational efficiency and resource recovery, and enhance environmental protection and mine safety;
- c. The Contractor/Permit Holder/Lessee shall develop and institutionalize an Information, Education and Communication (IEC) Program for greater public awareness and understanding of responsible mining and geosciences; and
- d. The Contractor/Permit Holder/Lessee shall allot annually a minimum of one and a half percent (1.50%) of the operating costs necessary to implement Subsections (a), (b) and (c) of this Section: Provided, That of this amount, 1.125% (75% of 1.50%) shall be apportioned to implement the SDMP in Subsection (a) hereof, 0.150% (10% of 1.50%) for the implementation of Program for the Development of Mining Technology and Geosciences in Subsection (b) hereof and 0.225% (15% of 1.50%) for the implementation of IEC Program in Subsection (c) hereof: Provided, further, That any unspent amount and/or savings, for any given year, allotted for the implementation of the various programs shall be added to the succeeding year's allotment and may be re-programmed after consultations with host and neighboring communities.

For the purpose of these implementing rules and regulations, the term Operating Cost shall mean the specific costs of producing a saleable product on a commercial scale incurred in the calculation of the net income before tax, as confirmed by the Bureau/Regional Office. This shall include all costs and expenditures related to mining/extraction and treatment/processing (inclusive of depreciation, depletion and amortization),

		<p>exploration activities during operation stage, power, maintenance, administration, excise tax, royalties, transport and marketing, and annual progressive/environmental management.</p> <p>The Contractor/Permit Holder/Lessee shall submit to the Regional Office concerned a sworn statement of its previous year's operating costs within sixty (60) days after the end of each calendar year as basis for the implementation of Subsections (a), (b), and (c) hereof in the case of an operating mine: Provided, That in the case of new mining operations, the basis for the initial SDMP implementation shall be the operating costs estimates contained in the approved Mining Project Feasibility Study: Provided, further, That the expenditures for the implementation of Subsections (a), (b), and (c) hereof shall not be credited to the royalty payment for IPs/ICCs per Section 16 hereof.</p> <p>Section 135. Credited Activities or Expenditures</p> <p>Programs/Projects/Activities (P/P/As) under the following areas of concern shall be considered as creditable activities or expenditures:</p> <p>a. For the development of the host and neighboring communities:</p> <ol style="list-style-type: none"> 1. Human Resource Development and Institutional Building – P/P/As geared towards strengthening existing local institutions, fostering the creation of new community organizations, and providing marginalized/disadvantaged groups the opportunity to participate fully in the development of their communities. These shall include, but not limited to, capacity- and capability-building on project management, organizational development, entrepreneurship, and skills development/training; 2. Enterprise Development and Networking – P/P/As geared towards the development and promotion of economically viable community enterprises by providing members of the community access to capital and thereby enhance and stimulate existing livelihood industries and other income generating activities, help create new ones, and develop market diversification. These shall include income generating activities, such as animal husbandry, provision of farm implements, establishment of small/micro-businesses, such as household-based food processing, horticulture and agronomy, traditional handicrafts, support to small local businesses through preferential procurement of goods and services from local sources, as well as cooperative development, market linkaging and networking, among others; 	
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		<p>3. Assistance to Infrastructure Development and Support Services – P/P/As geared towards stimulating and facilitating other forms of economic activity, such as the development, construction, improvement, and/or maintenance of farm-to-market roads, water systems, post-harvest facilities, bridges, and electric power, among others;</p> <p>4. Access to Education and Educational Support Programs – P/P/As geared towards providing educational opportunities to members of the community, including scholarships from primary to tertiary education, technical/vocational education, provision of apprenticeship programs, construction/repair/improvement of school buildings and related facilities, provision of school furniture and fixtures, and subsidy to teachers, among others;</p> <p>5. Access to Health Services, Health Facilities and Health Professionals – P/P/As geared towards achieving overall improvement in the living conditions and health of the host and neighboring communities, such as the provision of health facilities, access to health services, medicines and professionals, health education and preventive measures, training of health paraprofessionals, maternal-child health care and family planning, provision of health insurance, establishment of nutrition and immunization programs, access to clean and potable water, and provision of waste and sewage disposal facilities, among others;</p> <p>6. Protection and Respect of Socio-Cultural Values – P/P/As geared towards safeguarding the existing socio-cultural values of the host and neighboring communities to promote social cohesion and cultural awareness, and to instill community pride; and</p> <p>7. Use of facilities/services within the mine camp or plant site, such as hospitals, schools, among others, by members of the host and neighboring communities, the expenditures of which shall be apportioned pro-rata according to the number of people from said communities accommodated in such facilities.</p> <p>Provided, That expenditures for P/P/As for the mine camp accruing to the Contractors'/Permit Holders'/Lessees' employees and their families shall not be included in the computation of the cost of the SDMP.</p> <p>b. For the development of mining technology and geosciences:</p>	
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		<ol style="list-style-type: none"> 1. Basic and applied research on mining technology, geosciences, and related subjects such as, but not limited to, the socioeconomics related to mining operations, environmental protection, mineral economics, among others; 2. Advanced studies, related to mining which are conducted by qualified researchers who are not employees of the mine, following current guidelines by the Department of Science and Technology, including the cost of publication thereof in refereed technical journals or monographs accessible to the local scientific community; 3. Expenditures for scholars, fellows and trainees, including grants for dissertations, on mining technology and geosciences and related subjects; and 4. Expenditures on equipment and capital outlay as assistance for research and/or educational institutions which serve as a venue for developing mining technology and geosciences. <p>Provided, further, That the Provincial and Municipal Governments concerned shall be consulted in the determination of beneficiaries of scholarships and trainings, as well as the subject of researches and training programs.</p> <p>c. For the promotion of public awareness and education on mining technology and geosciences:</p> <ol style="list-style-type: none"> 1. Establishment/enhancement/maintenance of information and publicity centers where stakeholders can access information on the performance of a mining project; 2. Publication of IEC materials on social, environmental and other issues/concerns relative to mineral resources development and responsible mining operations; 3. Expenditures for continuing public awareness and education campaigns such as radio and web-based broadcasts, publications, and other forms of mass communication, on mining-related information, issues and concerns; and <p>Expenditures on equipment and capital outlay as assistance to the institutionalization of public awareness and education on mining technology and geosciences.</p> <p>Section 136. Duties and Responsibilities of the Contractor/Permit Holder/Lessee on the Development of the Host and Neighboring Communities</p>	
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		<p>a. Coordinate with proper authorities in the provision and implementation of development plans for the host and neighboring communities;</p> <p>b. Promote community service and volunteerism by encouraging members of the host and neighboring communities to impart time, knowledge, skills and talents in the development and implementation of community P/P/As as a way of instilling community ownership and achieving a more cohesive and stronger community;</p> <p>c. Help create self-sustaining income generating activities such as, but not limited to, reforestation and production of goods and services needed by the mine and the community. Where traditional self-sustaining income generating activities are identified to be present within the host and/or neighboring communities, the Contractor/Permit Holder/Lessee shall work with such communities towards the preservation and/or enhancement of such activities; and,</p> <p>d. Give preference to qualified Filipino citizens in the hiring of personnel for its mining operations, the majority of which shall originate according to priority from the host and neighboring communities, the host municipality and province where mine is located: Provided, That the Contractor/Permit Holder/Lessee shall organize, at its own expense, skills enhancement programs in the absence of the needed skills: Provided, further, That it shall give its firm commitment to skills re-formation and entrepreneurship development for people in the mining communities as an integral part of the mine closure process.</p> <p>Section 136-A. Social Development and Management Program and Community Development Program</p> <p>All Contractors/Permit Holders/Lessee shall prepare an SDMP, in consultation and in partnership with the host and neighboring communities. The SDMP shall be actively promoted and shall cover and include all P/P/As towards enhancing the development of the host and neighboring communities in accordance with Sections 135 and 136 hereof. To meet the changing needs and demands of the communities, the Contractor/Permit Holder/Lessee engaged in mining operations shall submit every five (5) years an SDMP to the Regional Office for approval as provided for in Section 136-B hereof.</p> <p>In the case of a holder of an Exploration Permit or a Mineral Agreement or FTAA in the Exploration Stage, the Permittee/Contractor shall develop and implement a Community Development Program (CDP) which</p>	
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		<p>implementation shall be supported by a fund equivalent to a minimum of ten percent (10.0%) of the budget of the approved two (2)-year Exploration Work Program: Provided, That the CDP shall be developed in consultation and in partnership with the host communities within the area subject of active exploration activities and may include P/P/As identified in, but not limited to, Subsection (a) of Section 135 hereof: Provided, further, That the CDP shall be submitted to the Regional Office concerned, for approval, within six (6) months upon registration of the approved Exploration Permit, Mineral Agreement or FTAA.</p> <p>The second (2nd) or succeeding CDP shall be submitted to the Regional Office concerned not later than 30 days from the completion of the preceding CDP.</p> <p>Section 136-B. Processing and Approval of the SDMP, and the Programs on Development of Mining Technology and Geosciences, IEC and CDP</p> <p>The Contractor/Permit Holder/Lessee shall submit at least three (3) legible copies and a complete electronic file of the five (5)-year SDMP and the Programs on Development of Mining Technology and Geosciences and on IEC to the Regional Office concerned.</p> <p>Within five (5) days upon receipt thereof, the Regional Office concerned shall conduct an evaluation of the submitted programs as to its form, substance, and completeness. Additional documents or information which are deemed necessary to supplement the programs may be required by the Regional Office concerned.</p> <p>A technical conference shall be held among the Contractor/Permit Holder/Lessee, Regional Office concerned and appropriate experts for the final evaluation of the programs. During the technical conference, the Contractor/Permit Holder/Lessee shall present the highlights of its programs, while the Regional Office concerned and the concerned experts shall present their comments on the submitted programs. If the proposed programs conform to the standards, these shall be duly approved by the Regional Office concerned through the issuance of a Certificate of Approval. The Regional Office shall provide the Bureau with a copy each of the approved SDMP and Programs on the Development of Mining Technology and Geosciences and on IEC, and the Certificates of Approval, within seven (7) days upon approval.</p> <p>If the Programs require some revisions/additional information, the Contractor/Permit Holder/Lessee shall be required to address the deficiencies within ten (10) days from the date of the technical conference. Should the Contractor/Permit Holder/Lessee fail to address the deficiencies within the prescribed period, the Programs shall be returned to the proponent for revision/rectification and resubmission.</p>	
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		<p>Within thirty (30) days from the approval of the SDMP, the Contractor/ Permit Holder/Lessee shall enter into a Memorandum of Agreement (MOA) with the host and neighboring communities as represented by the Barangay(s)/Municipality(ies) concerned and shall register the same in the Regional Office concerned, to ensure the implementation of the various P/P/As.</p> <p>The Contractor/Permit Holder/Lessee shall provide each of the LGUs concerned and the host and neighboring communities with a copy each of the approved programs within five (5) days after the registration of the approved Contract/Permit or five (5) days after receipt of the order approving the Declaration of Mining Project Feasibility, as the case may be.</p> <p>The succeeding 5-year SDMP and the Programs on Development of Mining Technology and Geosciences and on IEC shall be submitted to the Regional Office concerned not later than thirty (30) days from the completion of the preceding five (5)- year Programs.</p> <p>A copy each of the succeeding approved Programs shall be provided to the LGUs concerned and the host and neighboring communities within five (5) days from its approval.</p> <p>Based on the approved Programs and for effective implementation of the same, Annual Programs shall be submitted, at least thirty (30) days prior to the beginning of every calendar year, to the Regional Office concerned, for approval and implementation the following year. The Regional Office concerned shall furnish the Bureau with the approved annual Programs within seven (7) days from its approval.</p> <p>A copy of the CDP is a mandatory requirement for the acceptance of the following applications:</p> <ol style="list-style-type: none"> 1. Exploration Permit renewal 2. Mineral Agreement – renewal of Exploration Period 3. FTAA - renewal of the Exploration Period or application for Pre- Feasibility/Feasibility Period <p>Provided, That an approved CDP is required prior to commencement of the implementation of the approved Exploration Work Program under the renewed Exploration Permit/ Exploration Period or approved Pre-Feasibility/Feasibility Period.</p> <p>The Bureau shall retain oversight function over the evaluation, approval and implementation of the Programs.</p>	
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		<p>internationally accepted standards and practices. Such maps shall be made available to the scientific community in the most convenient and cost effective forms, subject to the condition that the Contractor/Permit Holder/Lessee may delay release of the said information for a reasonable period of time which shall not exceed three (3) years;</p> <p>b. Systematically keep the data generated from the Contract/Mining Area such as cores, assays and other related information, including economic and financial, and may make them accessible to students, researchers and other persons responsible for developing mining technology and geosciences subject to the condition that the Contractor/Permit Holder/Lessee may delay release of data to the science and technology community within a reasonable period of time which shall not exceed three (3) years; and</p> <p>c. Replicate the data, maps and reports cited in Paragraphs (a) and (b) and furnish the Bureau for archiving and systematic safekeeping which shall be made available to the science and technology community for conducting research and for undertaking other activities which contribute to the development of mining technology and geosciences and the corresponding manpower training and development: Provided, That the release of such data, maps and the like to the science and technology community shall be similarly constrained in accordance with Paragraphs (a) and (b) above.</p> <p>Section 138. Use of Indigenous Goods, Services and Technologies</p> <p>To the maximum extent compatible with efficient mining operations, the Contractor/Permit Holder/Lessee shall give preference to products, services and technologies produced and offered in the Philippines of comparable quality. In particular, the Contractor/Permit Holder/Lessee shall give preference to Filipino construction enterprises, construct buildings utilizing materials and skills available in the Philippines, employ Filipino subcontractors for road construction and transportation, and purchase Philippine household equipment, furniture and food.</p> <p>Section 139. Transfer of Social Assets and Services</p> <p>The Contractor/Permit Holder/Lessee shall, within one (1) year from the abandonment, cancellation or termination of the Agreement/Permit/Lease and consistent with the social aspect of the Final Mine Rehabilitation and/or Decommissioning Plan, remove all improvements deemed no longer socially usable after consultation with LGU(s)/community(ies) concerned, on the mining premises</p>	
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		<p>found on public land(s). Otherwise, all the social infrastructure and facilities shall be turned over or donated tax-free to the proper Government authorities, national or local, to ensure that said infrastructure and facilities are continuously maintained and utilized by the host and neighboring communities.</p> <p>Section 140. Hiring of Foreigners for Technical and Specialized Work During Mining Operations</p> <p>All holders or applicants for Mineral Agreement/FTAA/Exploration Permit/MPP shall give preference to Filipino citizens in all types of mining employment within the country in so far as such citizens are qualified to perform the corresponding work with reasonable efficiency and without hazard to the safety of the operations. They, however, shall not be hindered from hiring employees of their own selection, subject to the provisions of Commonwealth Act No. 613, as amended, for technical and specialized work which, in their judgment and with the approval of the Director, requires highly-specialized training or experience in exploration, development or utilization of mineral resources: Provided, That in no case shall each employment exceed five (5) years or the payback period of the project as stated in the approved original feasibility study, whichever is longer: Provided, further, That each foreigner employed as mine manager, vice president for operations or in an equivalent managerial position in charge of mining, milling, quarrying or drilling operations shall be subject to the provision of Section 141 hereof: Provided, finally, That each foreigner employed in a position lower than the managerial level shall be hired on a consultancy basis.</p> <p>Section 141. Requirements for the Employment of Foreigners in Mining Operations Foreigners that may be employed in mining operations shall:</p> <ol style="list-style-type: none"> a. Present evidence of his/her qualifications and work experience related to his/her position; or b. Pass the appropriate Government licensure examination; or c. In special cases, may be permitted to work by the Director for a period not exceeding one (1) year: Provided, That if reciprocal privileges are extended to Filipino nationals in the country of domicile, the Director may grant waivers or exemptions; d. Secure working permits/visa from other Government agency(ies) concerned; and e. Submit other supporting papers deemed necessary by the Secretary/Director/Regional Director concerned. 	
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MA, NT	RA 7076, People's Small-scale Mining Act of 1991	Section 3 (c) "Small-scale miners" refer to Filipino citizens who, individually or in the company of other Filipino citizens , voluntarily form a cooperative duly licensed by the Department of Environment and Natural Resources to engage, under the terms and conditions of a contract, in the extraction or removal of minerals or ore-bearing materials from the ground;	
MA, NT	DAO 2015-03, Revised Implementing Rules and Regulations (IRR) of Republic Act No. 7076, otherwise known as "People's Small Scale Mining Act of 1991" As superseded by DAO 2022-03 Section 6		c/o MGB
MA	DAO 2015-03 As superseded by DAO 2022-03 Section 15 and 16		c/o MGB
MA	DAO 2015-03		c/o MGB

	As superseded by DAO 2022-03 Section 15 and 16		
PPR, NT	DAO 2015-03 As superseded by DAO 2022-03 Section 18		c/o MGB
PPR	DAO 2015-03 As superseded by DAO 2022-03 Section 39		c/o MGB
MA, NT	DAO 1992-28, Guidelines in the Issuance of Special Permits for Pebble Picking Along Beaches	Section 2 "Pebble Picking" shall mean handsorting or manual gathering of pebbles from the permitted area/s along the beaches/shorelines without the aid of any mechanized equipment. "Permittee" shall refer to any cooperative, consisting of filipino citizens residing in the area where pebble resources is available, duly registered with the Bureau of Cooperative Development (BOCD), granted with a Special Permit for the manual gathering/removal of pebbles along the beaches/shorelines	c/o MGB
MA	BP 265 An Act Prohibiting the Extraction of Gravel		c/o MGB

	and Sand from Beaches and Providing Penalties Therefor And DILG Memo Circular No. 44 s. 2014		
PPR	DAO 2021-37 Harmonizing the Mining Operations of An Operator under A Mining Tenement	Section 2.3 There will be only one Operator per Mining Tenement, thus, preventing the Mining Tenement Holder to execute multiple mining agreements with other entities	c/o MGB
NT	PD 1067, The Water Code of the Philippines	Article 15. Only citizens of the Philippines, of legal age, as well as juridical persons, who are duly qualified by law to exploit and develop water resources, may apply for water permits.	
MA	PD 1067	Article 16. Any person who desires to obtain a water permit shall file an application with the Council who shall make known said application to the public for any protests. In determining whether to grant or deny an application, the Council shall consider the following: protests filed, if any; prior permits granted; the availability of water; the water supply needed for beneficial use; possible adverse effects; land-use economics; and other relevant factors. Upon approval of an application, a water permit shall be issued and recorded.	
NT, MA	PD 1067	Article 31. Preference in the development of water resources shall consider security of the State, multiple use, beneficial effects, adverse effects and costs of development.	
PPR	PD 1067	Article 85. No program or project involving the appropriation, utilization, exploitation, development, control, conservation, or protection of water resources may be undertaken without prior approval of the Council, except those which the Council may, in its discretion, exempt.	

		The Council may require consultation with the public prior to the implementation of certain water resources development projects.	
MA	DAO 2003-24, Implementing Rules and Regulations of the Chainsaw Act of 2002 (RA No. 9175) Entitled "An Act Regulating the Ownership, Possession, Sale, Importation and Use of Chainsaws, Penalizing Violations thereof and for other Purposes"	<p>Sec. 9. Requirements for permit/authority to purchase, import, manufacture and/or transfer ownership, sell/dispose, lease, rent, lend chainsaws. Applicants for permit/authority shall submit the following requirements:</p> <p>9.1 Permit to Purchase or Import</p> <p>9.1.1 Duly accomplished application form together with the following details:</p> <ul style="list-style-type: none"> ● Number of chainsaws to be purchased/imported with specifications ● Purpose for purchasing/importing ● Name and address of seller/supplier ● Expected time of arrival at port of entry and/or release from the Bureau of Customs, if imported ● Import Entry Declaration from the Bangko Sentral ng Pilipinas <p>9.1.2 Business name registration of applicant from DTI, SEC registration ' or CDA registration</p> <p>9.1.3 If applicant is an individual, Affidavit that he will use the chainsaw for a legal purpose only (e.g., tree pruning, tree surgery, landscaping, timber stand improvement, and other allied silvicultural activities).</p> <p>9.1.4 Copy of purchase orders, if imported</p> <p>9.1.5 Permit fee</p> <p>9.2 Permit to manufacture</p> <p>9.2.1 Duly accomplished application form together with the following details:</p> <ul style="list-style-type: none"> ● Number and type of chainsaws to be manufactured ● Source of materials, parts or accessories 	

		<p>9.2.2 Business name registration of applicant from DTI, SEC registration or CDA registration</p> <p>9.2.3 Permit fee</p> <p>9.3 Permit to sell/re-sell/dispose/distribute/transfer of ownership</p> <p>9.2.4 Duly accomplished application form together with the number and specifications of chainsaws to be sold</p> <p>9.2.5 Proof of ownership of chainsaws (sales invoice, deed of sale, etc.)</p> <p>9.2.6 Business registration from DTI or in case of individual transactions, this requirement may be dispensed with.</p> <p>9.2.7 Permit fee</p> <p>9.4 Authority to lease, rent or lend</p> <p>9.4.1 Letter request</p> <p>9.4.2 Contract of lease, rent, lending</p> <p>9.4.3 Copy of chainsaw registration</p>	
<p>MA</p>	<p>RA 9175, Chain Saw Act of 2002</p>	<p>Section 4. Persons Authorized to Manufacturer, Sell and Import Chain Saws. - Chain saws shall only be sold and/or imported by manufacturers, dealers and/or private owners who are duly authorized by the Department.</p> <p>Section 5. Persons Authorized to Possess and Use a Chain Saw. - The Department is hereby authorized to issue permits to possess and/or use a chain saw for the felling land/or cutting of trees, timber and other forest or agro-forest products to any applicant who:</p> <p>(a) has a subsisting timber license agreement, production sharing agreement, or similar agreements, or a private land timber permit;</p> <p>(b) is an orchard and fruit tree farmer;</p> <p>(c) is an industrial tree farmer;</p>	

		<p>(d) is a licensed wood processor and the chain saw shall be used for the cutting of timber that has been legally sold to said applicant; or</p> <p>(e) shall use the chain saw for a legal purpose.</p> <p>Agencies of the government that use chain saws in some aspects of their functions must likewise secure the necessary permit from the Department before operating the same.</p>	
<p>MA, NT</p>	<p>DAO 2007-17, Rules and Regulations Governing Special Uses Within Protected Areas</p>	<p>Section 4. Scope and Coverage. SAPA may be issued within protected areas except in Strict Nature Reserves and shall be confined only to the management zones of the protected area appropriate for the purpose.</p> <p>The SAPA can be issued only in protected areas whose management zones have been identified and delineated.</p> <p>Section 7. Who May Apply. The following may apply for SAPA:</p> <ul style="list-style-type: none"> 7.1 Indigenous Peoples 7.2 Tenured Migrants 7.3 LGUs 7.4 Other Government Agencies 7.5 Other stakeholders (corporations, cooperatives, business entities, NGOs, etc.) <p>The PAMB shall develop a set of criteria as guide for the selection of applicants. Preference shall be given to IPs and tenured migrants in the issuance of SAPA</p> <p>Section 8. Qualification of Applicants. The following may apply for SAPA:</p> <p>For individual applicants:</p> <ul style="list-style-type: none"> 8.1 A Filipino citizen of legal age 	

		<p>For groups, corporations or associations;</p> <p>8.2 An association, corporation, cooperative, partnership or a juridical person including NGOs at least sixty percent (60%) of the capital of which is owned by Filipino citizen, whether private or public, duly created and/or registered under Philippine laws.</p>	
<p>MA, NT, PPR</p>	<p>DAO 2007-34, Guidelines on Treasure Hunting in Caves</p>	<p>Section 5. Qualification of Applicants. The following may apply for a Treasure Hunting Permit in caves:</p> <p>5.1 individual - must be a Filipino citizen, of legal age, with capacity to enter into contract and capable of conducting treasure hunting activities</p> <p>5.2 partnership, association, cooperatives or corporation - must be organized or authorized for the purpose of engaging in treasure hunting in caves, duly registered in accordance with law, and with technical and financial capability to undertake treasure hunting activities</p> <p>Section 9. Posting of Bond. A one (1) year surety bond shall be posted by the applicant with the Government Service Insurance System (GSIS) or any accredited bonding company, upon approval but before the release of the Treasure Hunting Permit to answer for and guarantee payment for whatever actual damages that maybe incurred during locating, digging and excavation activities.</p> <p>Section 10. Payment of Rehabilitation fee. The RCC shall recommend to the approving authority concerned, as identified in Section 8 hereof, the amount of rehabilitation fee that must be posted by the treasure hunting applicant following the criteria set by the National Cave Committee and/or the PAMB, if the cave is in a protected area. The Rehabilitation fee is intended as a guarantee payment for disasters or adverse impacts and concerned communities, mitigation, rehabilitation and/or maintenance of the disturbance of the subject cave area caused by treasure hunting activities.</p>	

<p>MA, NT</p>	<p>DAO 2008-08, Guidelines on Self-regulation of the Floriculture Industry for the Sustainable Management of Philippine Wild Flora</p>	<p>Section 6. Qualifications, Criteria and Standards for Accreditation. The PWC shall evaluate applications for accreditation based on the following general criteria and standards:</p> <p>A. Qualifications of Applicants for Accreditation</p> <p>1. For the Propagation and Trade of Endemic/Indigenous Plants;</p> <p>a. must be a Filipino citizen of legal age and with capacity to contract; or</p> <p>b. corporation, partnership, association, or cooperative including community- based organization authorized or organized for the purpose of engaging in the artificial propagation and trade of endemic/indigenous wild flora included in the national list of threatened plant species and duly registered in accordance with law, at least sixty per cent (60%) of the capital of which is owned by Filipino citizens.</p> <p>2. For the Propagation and Trade of Exotic CITES-listed species:</p> <p>The applicant may be any individual, establishment or institution including community-based organization that would satisfactorily meet the criteria and standards provided herein including those that may be prescribed by the PWC.</p> <p>3. Individuals, establishments or institutions including community-based organizations engaged in the artificial propagation and trade of non-threatened plants may also apply for accreditation on a voluntary basis.</p> <p>4. Botanical gardens established for plant propagation and trade may be accredited provided they comply with the criteria and standards set forth herein.</p>	
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MA	EO 79 s. 2012, Institutionalizing and Implementing Reforms in the Philippine Mining Sector Providing Policies and Guidelines to Ensure Environmental Protection and Responsible Mining in the Utilization of Mineral Resources	<p>SECTION 1. Areas Closed to Mining Applications. Applications for mineral contracts, concessions, and agreements shall not be allowed in the following:</p> <p>a) Areas expressly enumerated under Section 19 of RA No. 7942;</p> <p>b) Protected areas categorized and established under the National Integrated Protected Areas System (NIPAS) under RA No. 7586;</p> <p>c) Prime agricultural lands, in addition to lands covered by RA No. 6657, or the Comprehensive Agrarian Reform Law of 1988, as amended, including plantations and areas devoted to valuable crops, and strategic agriculture and fisheries development zones and fish refuge and sanctuaries declared as such by the Secretary of the Department of Agriculture (DA);</p> <p>d) Tourism development areas, as identified in the National Tourism Development Plan (NTDP); and,</p> <p>e) Other critical areas, island ecosystems, and impact areas of mining as determined by current and existing mapping technologies, that the DENR may hereafter identify pursuant to existing laws, rules, and regulations, such as, but not limited to, the NIPAS Act.</p> <p>Mining contracts, agreements, and concessions approved before the effectivity of this Order shall continue to be valid, binding, and enforceable so long as they strictly comply with existing laws, rules, and regulations and the terms and conditions of the grant thereof. For this purpose, review and monitoring of such compliance shall be undertaken periodically.</p>	
NT	PD 1067, The Water Code of the Philippines	Article 15. Only citizens of the Philippines, of legal age, as well as juridical persons, who are duly qualified by law to exploit and develop water resources, may apply for water permits.	c/o EMB
MA	PD 1067	<p>Article 16. Any person who desires to obtain a water permit shall file an application with the Council who shall make known said application to the public for any protests.</p> <p>In determining whether to grant or deny an application, the Council shall consider the following: protests filed, if any; prior permits granted; the availability of water; the water supply needed for beneficial use; possible adverse effects; land-use economics; and other relevant factors.</p> <p>Upon approval of an application, a water permit shall be issued and recorded.</p>	

NT, MA	PD 1067	Article 31. Preference in the development of water resources shall consider security of the State, multiple use, beneficial effects, adverse effects and costs of development.	
PPR	PD 1067	<p>Article 85. No program or project involving the appropriation, utilization, exploitation, development, control, conservation, or protection of water resources may be undertaken without prior approval of the Council, except those which the Council may, in its discretion, exempt.</p> <p>The Council may require consultation with the public prior to the implementation of certain water resources development projects.</p>	
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MA, NT	DAO 2007-17, Rules and Regulations Governing Special Uses Within Protected Areas	<p>Section 4. Scope and Coverage. SAPA may be issued within protected areas except in Strict Nature Reserves and shall be confined only to the management zones of the protected area appropriate for the purpose. The SAPA can be issued only in protected areas whose management zones have been identified and delineated.</p> <p>Section 7. Who May Apply. The following may apply for SAPA:</p> <p>7.1 Indigenous Peoples</p> <p>7.2 Tenured Migrants</p> <p>7.3 LGUs</p> <p>7.4 Other Government Agencies</p>	

		<p>7.5 Other stakeholders (corporations, cooperatives, business entities, NGOs, etc.)</p> <p>The PAMB shall develop a set of criteria as guide for the selection of applicants. Preference shall be given to IPs and tenured migrants in the issuance of SAPA</p> <p>Section 8. Qualification of Applicants. The following may apply for SAPA:</p> <p>For individual applicants: 8.1 A Filipino citizen of legal age For groups, corporations or associations; 8.2 An association, corporation, cooperative, partnership or a juridical person including NGOs at least sixty percent (60%) of the capital of which is owned by Filipino citizen, whether private or public, duly created and/or registered under Philippine laws.</p>	
<p>MA, NT, PPR</p>	<p>DAO 2007-34, Guidelines on Treasure Hunting in Caves</p>	<p>Section 5. Qualification of Applicants. The following may apply for a Treasure Hunting Permit in caves:</p> <p>5.1 individual - must be a Filipino citizen, of legal age, with capacity to enter into contract and capable of conducting treasure hunting activities</p> <p>5.2 partnership, association, cooperatives or corporation - must be organized or authorized for the purpose of engaging in treasure hunting in caves, duly registered in accordance with law, and with technical and financial capability to undertake treasure hunting activities</p> <p>Section 9. Posting of Bond. A one (1) year surety bond shall be posted by the applicant with the Government Service Insurance System (GSIS) or any accredited bonding company, upon approval but before the release of the Treasure Hunting Permit to answer for and guarantee payment for whatever actual damages that maybe incurred during locating, digging and excavation activities.</p> <p>Section 10. Payment of Rehabilitation fee. The RCC shall recommend to the approving authority concerned, as identified in Section 8 hereof, the amount of rehabilitation fee that must be posted by the treasure hunting applicant following the criteria set by the National Cave Committee and/or the PAMB, if the cave is in a protected area. The Rehabilitation fee is intended as a guarantee payment for disasters or adverse impacts and</p>	

		concerned communities, mitigation, rehabilitation and/or maintenance of the disturbance of the subject cave area caused by treasure hunting activities.	
MA, NT	DAO 2008-08, Guidelines on Self-regulation of the Floriculture Industry for the Sustainable Management of Philippine Wild Flora	<p>Section 6. Qualifications, Criteria and Standards for Accreditation. The PWC shall evaluate applications for accreditation based on the following general criteria and standards:</p> <p>A. Qualifications of Applicants for Accreditation</p> <p>1. For the Propagation and Trade of Endemic/Indigenous Plants;</p> <p>a. must be a Filipino citizen of legal age and with capacity to contract; or</p> <p>b. corporation, partnership, association, or cooperative including community-based organization authorized or organized for the purpose of engaging in the artificial propagation and trade of endemic/indigenous wild flora included in the national list of threatened plant species and duly registered in accordance with law, at least sixty per cent (60%) of the capital of which is owned by Filipino citizens.</p> <p>2. For the Propagation and Trade of Exotic CITES-listed species:</p> <p>The applicant may be any individual, establishment or institution including community-based organization that would satisfactorily meet the criteria and standards provided herein including those that may be prescribed by the PWC.</p> <p>3. Individuals, establishments or institutions including community-based organizations engaged in the artificial propagation and trade of non-threatened plants may also apply for accreditation on a voluntary basis.</p> <p>4. Botanical gardens established for plant propagation and trade may be accredited provided they comply with the criteria and standards set forth herein.</p>	
MA	EO 79 s. 2012, Institutionalizing and Implementing Reforms	SECTION 1. Areas Closed to Mining Applications. Applications for mineral contracts, concessions, and agreements shall not be allowed in the following:	

	<p>in the Philippine Mining Sector Providing Policies and Guidelines to Ensure Environmental Protection and Responsible Mining in the Utilization of Mineral Resources</p>	<p>a) Areas expressly enumerated under Section 19 of RA No. 7942;</p> <p>b) Protected areas categorized and established under the National Integrated Protected Areas System (NIPAS) under RA No. 7586;</p> <p>c) Prime agricultural lands, in addition to lands covered by RA No. 6657, or the Comprehensive Agrarian Reform Law of 1988, as amended, including plantations and areas devoted to valuable crops, and strategic agriculture and fisheries development zones and fish refuge and sanctuaries declared as such by the Secretary of the Department of Agriculture (DA);</p> <p>d) Tourism development areas, as identified in the National Tourism Development Plan (NTDP); and,</p> <p>e) Other critical areas, island ecosystems, and impact areas of mining as determined by current and existing mapping technologies, that the DENR may hereafter identify pursuant to existing laws, rules, and regulations, such as, but not limited to, the NIPAS Act.</p> <p>Mining contracts, agreements, and concessions approved before the effectivity of this Order shall continue to be valid, binding, and enforceable so long as they strictly comply with existing laws, rules, and regulations and the terms and conditions of the grant thereof. For this purpose, review and monitoring of such compliance shall be undertaken periodically.</p>	
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GUIDE ON HOW TO ACCOMPLISH THE BREAKOUT SESSION OUTPUT DOCUMENT (ENVIRONMENTAL SERVICES)

For the Formulation of the Comprehensive Philippine Reservation List
for Investments and Services Under a Negative List Two-Annex Approach

Approaches in Scheduling Services Commitments in FTAs

As a backgrounder, there are two (2) main approaches to scheduling “market access¹” commitments in the services chapter of free trade agreements (FTAs), namely: Positive List and Negative List. RCEP is the first FTA of ASEAN with a commitment for Parties to transition to a negative list.

Under this approach, Parties commit to move to a negative list with the aim to provide market access and increased transparency, subject to existing laws, rules and regulations which will be listed to maintain policy space in respective Parties’ services schedules. The negative list also provides services exporters and investors with a tool to easily determine which are open for foreign participation or reserved to Filipino citizens.

Negative List Approach

Simply, the Negative List contains the exact laws, rules and regulations for specific services. It allows a country to preserve critical or sensitive sectors inconsistent with treaty obligations. In order to draft a negative list, the Philippines must prepare a comprehensive list of non-conforming measures (NCMs) or any law, regulation, procedure, requirement or practice maintained by the Philippines that do not conform with some or all of the obligations relating to the following:

- a) **Market Access** – conditions, tariff and non-tariff measures, agreed by members for the entry of specific goods and services into their markets;
- b) **National Treatment** – obligation to extend to the services and service suppliers of any other Party treatment no less favorable that is accorded to domestic services and service suppliers;
- c) **Most Favored Nation** – obligation to treat foreign service providers from one Party are treated no worse than any other Party’s foreign service provider;
- d) **Local Presence** – obligation typically prohibiting a Party from requiring suppliers of the other Party to establish a commercial presence in its territory as a condition for the provision of service;
- e) **Prohibition of Performance Requirements** – obligation prohibiting parties from imposing a defined set of requirements in relation to the establishment or operation of an investment of another Party; and

- f) **Senior Management and Board of Directors** – obligation typically providing that no Party may require an enterprise of the other Party to appoint to senior management positions individuals of any particular nationality.

In a Positive List Approach, the general rule is that “everything is closed, unless it is open” and unless said sector is found in the Positive List. The rule for the Negative List Approach on the other hand is “entire sector is open, unless it is restricted through listing of the particular sector in the Negative List”. The Negative List is important as a way of protecting the interests of the country while at the same time showing to our trading partners that we are open for free trade.

The Negative List includes two annexes: Annex 1 contains the restrictions on the general rule that everything is open (usually found in laws, statutes, Executive Orders, Department Orders, Memorandum Circulars, and other written rule which contains the restrictions that the government implements); Annex 2 contains future policies and sectors that are kept closed to protect the interests of the Agency. Our ongoing initiative is to draft Annex 1 of the Negative List.

Definition and Classification of Environmental Services

The DENR, being the main agency with the mandate over the country's environment and natural resources, has purview on the country's offers under the sector “Environmental Services” under RCEP.

The OECD definition of Environmental Services is “services provided to “measure, prevent, limit, minimize or correct environmental damage to water, air, soil, as well as problems related to waste, noise and eco-systems”¹.

Based on the Services Sectoral Classification List (W/120) developed which is also largely based on the United Nations Provisional Central Product Classification (CPC), the environmental services sector is defined to include²:

Environmental Services	CPC prov.	Description
a) Sewage services	9401	Closely related to waste water treatment services that aim essentially to speed up the natural processes which reduce contaminants to an acceptable level for discharge into the environment.
b) Refuse disposal services	9402	Virtually synonymous with solid waste management which includes services to collect, transport, treat and dispose waste from homes, municipalities, commercial establishments and manufacturing plants.
c) Sanitation and similar services	9403	

d) Other environmental services	--	<p>Even though the “other” category does not explicitly refer to any CPC items, it presumably includes the remaining elements of the CPC environmental services category:</p> <p>d.1) cleaning of exhaust gases (CPC 9404),</p> <ul style="list-style-type: none"> - closely resembles air quality control services designed to remove pollutants from a gaseous stream or to convert pollutants to a non-polluting or less polluting form prior to discharge into the atmosphere. <p>d.2) noise abatement services (CPC 9405),</p> <p>d.3) nature and landscape protection services (9406), and</p> <p>d.4) other environmental protection services not included elsewhere (CPC 9409).</p>
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The following are the sectors with existing offers under RCEP: 1) Sewerage services (CPC 9401), 2) Refuse disposal services (CPC 94020), 3) Sanitation and similar services limited to hail-clearing services (CPC 9403), 4) Services to reduce exhaust gases and other emissions for a factory (CPC 9404), 5) Site remediation and clean-up services (CPC 9441), and 6) Sweeping and snow removal services (CPC 9451).

How to Accomplish the Breakout Session Output Document?

The Negative List matrix is arranged into sections based on the aforementioned sector/ subsector under the Environmental Services (e.g. Sewage services, Nature and landscape protection services, etc.). The goal is to list down/ exhaust all NCMs that affect the said sectors and provide details on each measure in the Breakout Session Output Document. The matrix should be accomplished as follows:

Column	Description	Content
1	Type of Obligation	<p>Determine whether the measure contains any of the following types of obligations:</p> <p>Indicate “MA” if it is a Market Access obligation which pertains to restrictions on entry (conditions, tariff and non-tariff measures including licensing, capital and nationality requirements)</p> <p>Indicate “NT” if it is a National Treatment obligation which refers to requirements which are additional regulatory burden imposed on foreign businesses (Ex. Filipino First policies). You treat foreign service or service suppliers as you treat your own but if there is a measure that is inconsistent then that is something that must be reflected in our commitments. For example, residency</p>

		<p>requirement, documentary requirements that are in addition to those required of own service suppliers and other requirements that own service suppliers need not comply with such as having an understudy.</p> <p>Indicate "MFN" if it is a Most Favored Nation obligation - Simply put, it is giving favor to a particular country; type of obligation wherein it benefits one particular country compared to the rest of the world (Ex. Reciprocity requirements). This does not include benefits given to a particular country based on an international agreement (free-trade agreement, special bilateral agreement).</p> <p>Indicate "LP" if it is a Local Presence obligation which refers to - limitations/regulations on the physical presence of the goods/services (geographical limitations, buffer zones).</p> <p>Indicate "PPR" if it is a Prohibition of Performance Requirements which refers to regulations continuously imposed on the operations of the business (local content requirements, license renewal, etc.).</p> <p>Indicate "SMBD" if it is a Senior Management and Board of Directors Obligation which pertains to residency requirement, nationality requirement of the company's senior management and Board of Directors.</p> <p>A measure may have one or multiple types of obligation.</p>
2	Source of Measure	<p>Indicate whether the measure is from a Republic Act (RA), Executive Order (EO), Memorandum Circular (MC), Department Administrative Order (DAO), Implementing Rules and Regulation (IRR), etc.</p> <p>If possible, indicate what section, item, or article the said obligation is found.</p>
3	Description of the Measure	<p>Indicate the relevant provision/s on the said measure (verbatim). If possible, highlight in bold letters the specific provisions that contain the said obligations.</p>

¹ Environmental Goods: A Comparison of the APEC and OECD List
(<https://www.oecd.org/environment/envtrade/35837840.pdf>)

² Environmental Services: Background Note by the Secretariat. Council for Trade in Services World Trade Organization. (https://www.wto.org/english/tratop_e/serv_e/w46.doc)

DENR's Membership to Various Trade-Related Inter-Agency Bodies

The Department is involved in various trade-related inter-agency bodies/ committees, as follows:

Committee/ Working Group	Legal Bases	Designated Reps
<p>1. Committee on Tariff and Related Matters (CTRM)</p>	<ul style="list-style-type: none"> - CTRM advises the President and the NEDA Board on tariff-related matters and on the effects on the country of various international developments; coordinates agency positions and recommends national positions for international economic negotiations. - The CTRM has two (2) Technical Committees, as follows: <ol style="list-style-type: none"> 1. Technical Committee on Tariff and Related Matters (TCTRM) 2. Technical Committee on World Trade Organization Matters (TCWM) 	<p>Principal: The Secretary</p> <p>Alternate Rep:</p> <ul style="list-style-type: none"> - Undersecretary for Policy, Planning and International Affairs (USECPPIA) - Assistant Secretary for Policy, Planning and Foreign Assisted and Special Projects (ASECPPFASPs)
<p>1.1. Technical Committee on Tariff and Related Matters (TCTRM)</p>	<p>Discusses and recommends to the CTRM modifications in the Philippine tariff programs, PH position with respect to tariff issues in ASEAN and applications under the Republic Act No. 8762 or the Retail Trade Liberalization Act of 2000, among others.</p>	
<p>1.2. Technical Committee on World Trade Organization Matters (TCWM)</p>	<p>Recommends to the CTRM, PH positions and strategies relevant to the country's implementation of its WTO commitments and continuing participation in the multilateral trading system. It has 15 member agencies. Four subcommittees on (a) agriculture, (b) industrial tariffs, (c) services, and (d) other rules and disciplines are responsible for WTO implementation issues.</p>	<p>Principal: USECPPIA Alternate: ASECPPFASPs</p>
<p>1.2.1. Inter-Agency Committee on Trade in Services (IAC-TS)</p>	<ul style="list-style-type: none"> - Plays the key role in coordinating all matters relating to the implementation of the World Trade Organization (WTO), General Agreement on Trade in Services (GATS), and the liberalization of trade in services under the ASEAN and APEC, and entry into bilateral agreements by the Philippines with another country on services trade. 	<p>Principal: ASECPPFASPs Alternate: Director, PPS</p>

	<p>bilateral agreements by the Philippines with another country on services trade.</p> <ul style="list-style-type: none"> - It is the venue for the discussion and formulation of PH for services-related negotiations in Geneva and elsewhere. - Also functions as an information-sharing body and capacity improvement center. 	
<p>2. Philippine Council for Regional Cooperation (PCRC)</p>	<ul style="list-style-type: none"> - The PCRC was established by virtue of Administrative Order (AO) No. 20, s. 2011 which reorganized and renamed the Philippine Council on ASEAN and APEC Cooperation (PCAAC) into the Philippine Council for Regional Cooperation (PCRC). - It was created to upgrade and reinforce inter-agency coordination in the formulation and consolidation of positions and strategies of PH as it participates in ASEAN and all other regional and inter-regional organization such as Asia-Pacific Economic Cooperation (APEC), Asia- Europe Meeting (ASEM), Forum for East Asia- Latin America Cooperation (FEALAC), and similar regional initiatives. - The PCRC has four (4) sub-Cabinet level Technical Boards namely: <ul style="list-style-type: none"> 1. ASEAN Matters Technical Board (AMTB); <ul style="list-style-type: none"> 1.1. Committee for the ASEAN Economic Community (CAEC) 2. Technical Board on APEC Matters (TBAM); 3. Technical Board on ASEAM Concerns (TBAC); and 4. Technical Board on FEALAC Matters (TBFM) 	
<p>2.1. ASEAN Matters Technical Board (AMTB)</p>	<p>One of the sub-Cabinet Level Technical Boards under PCRC which regularly meets to set and align national priorities with those of the ASEAN's</p>	<p>Principal: USECPPIA Alternate: ASECPPFASPs</p>
<p>2.1.1. Committee for the ASEAN Economic</p>	<ul style="list-style-type: none"> - CAEC is one of the Committees under the AMTB created also pursuant to AO No. 20. 	<p>Principal: USECPPIA Alternate: ASECPPFASPs</p>

<p>Community (CAEC)</p>	<ul style="list-style-type: none"> - It is an inter-agency coordination body which facilitates policy formulation and implementation towards enhancing economic and financial relations. 	<p>Director, PPS Chief, PSD</p>
<p>2.1.1.1. Philippine Working Group on Services (PH-WGS)</p>	<ul style="list-style-type: none"> - PH-WGS is an inter-agency committee under CAEC which was established by virtue of AO No. 20, 2. 2011. - The PH-WGS performs the following key functions: <ul style="list-style-type: none"> 1) Coordinate and monitor implementation of trade in services-related initiatives and activities under ASEAN+1 FTAs, particularly in the areas of services trade liberalization, mutual recognition arrangements on professional services, movement of natural persons and other cooperation activities as may be identified; 2) Develop the PH positions on issues arising under the respective Committees on Trade in Services under ASEAN + 1 FTAs; 3) Study specific measures, initiatives, and proposals relevant to trade in services, and take part in developing PH positions that would help the country become a more constructive participant in developing market access; and 4) Review, evaluate, and provide inputs on trade in services-related matters of external economic engagement of the PH through the ASEAN+ FTAs. 	<p>Principal: USECPPIA Alternate: ASECPPFASPs Director, PPS Chief, PSD</p>
<p>2.1.1.2. Inter-Agency Committee on Trade in Goods (IAC-TIG)</p>	<ul style="list-style-type: none"> - The Committee holds discussions on matters relating to trade in goods negotiations under the RCEP, ASEAN Trade in Goods Agreement (ATIGA) and ASEAN Plus Free Trade Area (FTA) Agreements. - The IAC-TIG performs the following key functions: <ul style="list-style-type: none"> a. Coordinate and monitor implementation of trade in goods-related initiatives and activities under ASEAN and ASEAN+1 FTAs, particularly in the areas of tariff liberalization, non-tariff measures (NTMs) and trade facilitation; 	<p>Principal: USECPPIA Alternate: ASECPPFASPs Director, PPS Chief, PSD</p>

	<ul style="list-style-type: none"> b. Develop the Philippines positions on issues arising under the respective Committee on Trade in Goods of ASEAN and ASEAN+1 FTAs; c. Study specific measures, initiatives, proposals relevant to trade in goods, and take part in developing Philippine positions that would help the country become a more constructive participant in developing market access, and facilitating trade in the region; and d. Review, evaluate, and provide inputs on trade in goods related matters of external economic engagements of the Philippines through the ASEAN+1 FTAs 	
<p>2.2. Technical Board on APEC Matters (TBAM)</p>	<ul style="list-style-type: none"> - It is the government body which oversees the activities of the different line agencies representing the PH to the various APEC fora. - APEC regularly convenes three (3) times a year during the Senior Officials' Meeting (SOM) and Related Meetings, which is in addition to the interim meetings held during the year. APEC meetings can be grouped into: <ul style="list-style-type: none"> 1) SOM Steering Committee on Economic and Technical Cooperation (ECOTECH); 2) Committee on Trade and Investment (CTI); and 3) APEC Business Advisory Council (ABAC). - ECOTECH includes 15 sub-fora (which includes the Experts Group on Illegal Logging and Associated Trade [EGILAT] and the Oceans and Fisheries Working Group [OFWG]) while CTI oversees eight (8) sub-groups and three (3) industry dialogues (which includes Chemical Dialogue [CD]). <ul style="list-style-type: none"> 1) FMB serves as the focal office for EGILAT 2) BMB serves as supporting agency to DA-Bureau of Fisheries and Aquatic Resources for OFWG, 3) EMB serves as a focal office for CD. 	<p>Principal: USECPPIA Alternates: ASECPPFASPs Director, PPS</p>

<p>2.3. Technical Board on ASEAM Concerns (TBAC)</p>	<ul style="list-style-type: none"> - TBAC is composed of departments and agencies concerned with ASEM cooperation - ASEM is an informal intergovernmental dialogue process involving 53 partners from Asia and Europe (30 of which are European countries, 21 Asian countries, the European Union, and the ASEAN Secretariat). The ASEAM dialogue addresses political, economic, and socio-cultural issues, with the objective of strengthening the relationship between the two regions in a spirit of mutual respect and equal partnership. 	<p>Principal: USECPPIA Alternates: ASECPPFASPs Director, PPS</p>
<p>3. European Union Generalized Scheme Of Preferences Plus (EU GSP+)</p>	<p>The European Union Generalised Scheme of Preferences (EU GSP) was created following the United Nations Conference on Trade and Development (UNCTAD) recommendation which allows vulnerable developing countries to pay fewer or no duties on exports to the EU.</p> <p>The European Commission monitors if the GSP+ beneficiary country abides by its commitments to the international conventions covered by GSP+.</p> <p>The DENR serves as the lead agency for the Environmental Protection Cluster. The following eight (8) Multilateral Environmental Agreements (MEAs) are covered by the GSP+ Scheme:</p> <ol style="list-style-type: none"> 1) Convention on International Trade in Endangered Species on Wild Fauna and Flora (CITES) ; 2) Montreal Protocol ; 3) Basel Convention ; 4) Convention on Biological Diversity; 5) United Nations Framework Convention on Climate Change (UNFCCC) ; 6) Cartagena Protocol on Biosafety; 7) Stockholm Convention on Persistent Organic Pollutants; and 8) Kyoto Protocol. 	<p>USECPPIA - Chair of EU- GSP+ Environmental Cluster</p>
<p>4. Philippine Trade Facilitation Committee (PTFC)</p>	<ul style="list-style-type: none"> - The PTFC was created pursuant to Executive Order No. 136 issued by President Rodrigo Roa Duterte on May 18, 2021, in compliance 	<p>Principal: USECPPIA</p>

	<p>with the country's commitment under Item 2, Article 23, Section III of the World Trade Organization Trade Facilitation Agreement (WTO-TFA), which mandates that each Member-State shall establish and/or maintain a national committee on trade facilitation or designate an existing mechanism to facilitate both domestic coordination and implementation of the provisions of the Agreement.</p> <ul style="list-style-type: none"> - It has three (3) technical working groups, namely: <ul style="list-style-type: none"> 1) Compliance Monitoring TWG, 2) Trade Policy Review TWG, and 3) Adhoc TWG 	<p>Alternate: ASECPPFASPs Director, PPS</p> <p>Bureau/ Service Focal</p>
4.1. Compliance Monitoring TWG	Tasked to monitor the pending compliances of the Philippines with the WTO-TFA with particular focus on the progress of the National Single Window.	Principal: Director, PPS Alternate: Chief, PSD
4.2. Trade Policy Review TWG (TPR-TWG)	Tasked to review redundancies and gaps concerning the implementation of Trade Facilitation commitments and recommend to government agencies and committees measures to facilitate trade.	Principal: Director, PPS Alternate: Chief, PSD
4.3. Adhoc Technical Working Group (AH TWG)	It is tasked to undertake issues and concerns as may be determined by the PTFC such as the drafting of the Operational Work Plan and Strategy Roadmap, which shall include, among others all the activities, actions to be taken.	Principal: Director, PPS Alternate: Chief, PSD
5. Indo Pacific Economic Framework for Enhancing Prosperity (IPEF)	<ul style="list-style-type: none"> - The IPEF is the economic component of President Biden's Indo-Pacific Strategy, which seeks to advance resilience, inclusiveness, and competitiveness for economies. Through this initiative, the United States aims to contribute to cooperation, peace, stability, prosperity, and sustainable development of the region, in partnership with Indo-Pacific countries that share the IPEF's goals, interest, and ambitions for the region - The Department has been identified as one of the agencies under the three (3) pillars for IPEF, namely: Pillar 1 (Trade), Pillar 2 (Supply Chain), and Pillar 3 (Clean Economy). The Department is specifically one of the lead agencies on Pillar 3 (Clean Economy). 	

	- 1st IPEF Negotiation was held at Brisbane Australia on 9-16 December 2022.	
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UPDATES/NEXT STEPS

Committee	Description	Status
TCWM	<ol style="list-style-type: none"> 1. Provide list of alternatives/substitute for plastics 2. Ongoing initiative on Plastic alternatives and substitute 3. Updates on the implementation of NPOA ML. 	PSD is still waiting for EMB's response.
	<ol style="list-style-type: none"> 1. Update Official representatives to the CTRM and its Technical Committees 2. Provide Certificate of Concurrence for the ratification of the Modifications to the Philippines' Schedule of Commitments under the General Agreement on Trade in Services (GATS) in line with the Philippines' Participation in the WTO JSI-SDR. 	CSW for the Secretary was already drafted by PSD.
IAC-TS	<ol style="list-style-type: none"> 1. Update Official representatives to the IAC-TS 	CSW for the Secretary was already drafted by PSD.
RCEP	<ol style="list-style-type: none"> 1. Vetting of the latest draft Trade Focal SO 2. Finalization of Negative List 3. Upcoming Negative List Workshop in January 2023. 	A Memorandum was drafted by PSD, for PPS Director's initial.
ASEAN Plus One FTAs	<ol style="list-style-type: none"> 1. Provide inputs/ comments on Transposed AHTN 2022 Philippine Tariff Reduction Schedules (TRSs) under ASEAN Plus One FTAs. 	PSD drafted a response to DTI requesting for assistance on verifying transposition of tariff schedules.
ACaFTA	Ongoing discussion / formulation on ACaFTA Trade in Goods Chapter (until 2023)	
Upgraded AANZFTA	Ongoing Discussion / formulation on ASEAN-Australia-New Zealand Free Trade Agreement (AANZFTA) Texts for	

	Negotiations and Draft Text of Trade and Sustainable Development (TSD) under AANZFTA	
PTFC	Drafting of the PTFC Roadmap 2022-2028 is ongoing.	
CPTPP	Relative to the Philippines' proposed accession to the Comprehensive and Progressive Agreements for Trans-Pacific Partnership (CPTPP), the DTI had commissioned the UP Law Center-Institute of International Legal Studies (UPLC-IILS) to undertake the gap assessment study on gauging the country's readiness and capacity to accede to the CPTPP.	PSD already drafted the response letter to DTI, for PPS Dir's initial.