



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
KAGAWARAN NG KAPALIGIRAN AT LIKAS YAMAN



MEMORANDUM

FOR : **The Directors**
Legal Affairs Service
Policy and Planning Service
Climate Change Service

The Bureau Directors
Biodiversity Management Bureau
Environmental Management Bureau
Land Management Bureau
Forest Management Bureau
Ecosystems Research and Development Bureau

The Officer-In-Charge
Mines and Geosciences Bureau

All Regional Executive Directors

FROM : **The Director**
Legislative Liaison Office

SUBJECT : **REQUEST FOR COMMENTS AND RECOMMENDATIONS ON HOUSE BILLS 618, 3495, 4732, 6809, 7039, AND 7046 OR THE PROPOSED ESTABLISHMENT OF PUBLIC RECREATIONAL SPACES IN ALL CITIES AND MUNICIPALITIES IN THE COUNTRY FROM THE COMMITTEE ON PUBLIC WORKS AND HIGHWAYS OF THE HOUSE OF REPRESENTATIVES**

DATE : 13 February 2024

In reference to the electronic letter dated 12 January 2024, the Committee on Public Works and Highways of the House of Representatives is requesting for the Department's comments and recommendations on the following legislative measures:

- **HOUSE BILL NO. 618** – AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND APPROPRIATING FUNDS THEREFOR (*Rep. Christopher V.P. de Venecia*);

- **HOUSE BILL NO. 3495** – AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND APPROPRIATING FUNDS THEREFOR (*Rep. Geraldine B. Roman*);
- **HOUSE BILL NO. 4732** – AN ACT ESTABLISHING PUBLIC RECREATIONAL SPACES IN ALL CITIES AND MUNICIPALITIES IN THE COUNTRY AND ITS INTEGRATION IN THEIR RESPECTIVE COMPREHENSIVE LAND USE PLANS (*Rep. Luis Raymund F. Villafuerte, Jr.*);
- **HOUSE BILL No. 6809** – AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND APPROPRIATING FUNDS THEREFOR (*Rep. Gus S. Tambunting.*);
- **HOUSE BILL NO. 7039** – AN ACT PROVIDING AT LEAST ONE PUBLIC PARK IN EVERY CITY (*Rep. Edwin L. Olivarez.*); and
- **HOUSE BILL NO. 7046** – AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND APPROPRIATING FUNDS THEREFOR (*Rep. Aniela Bianca D. Tolentino*).

In this regard, may we respectfully request for **comments and recommendations on the abovementioned bills**, as requested by the Committee. Kindly send them on or before **Monday, 19 February 2024, at 5 PM** via email at denrlo@denr.gov.ph.

Attached herewith are the Letter-Request and the House bills for your reference.


ROMIROSE B. PADIN

Cc: Undersecretary for Special Concerns and Legislative Affairs



COMMITTEE ON PUBLIC WORKS & HIGHWAYS

CTSS-I, Committee Affairs Department, House of Representatives
3rd Floor, Ramon V. Mitra Building, Batasan Hills, Quezon City, Philippines 1126
Telefax: 9310200, TrunkLine: 9315001 local 7135

12 February 2024

HON. MANUEL M. BONOAN

Secretary

Department of Public Works and Highways (DPWH)
City of Manila

HON. ARSENIO M. BALISACAN

Secretary

National Economic and Development Authority (NEDA)
Pasig City

HON. RALPH G. RECTO

Secretary

Department of Finance (DOF)
City of Manila

HON. AMENAH F. PANGANDAMAN

Secretary

Department of Budget and Management (DBM)
City of Manila

HON. BENJAMIN "BENHUR" ABALOS JR.

Secretary

Department of the Interior and Local Government (DILG)
Quezon City

HON. FRANCISCO P. TIU LAUREL JR.

Secretary

Department of Agriculture (DA)
Quezon City

HON. MARIA ANTONIA YULO LOYZAGA

Secretary

Department of Environment and Natural Resources (DENR)
Quezon City

HON. MARCIAL C. AMARO JR.

Assistant Secretary for International Affairs and Director
DENR – Biodiversity Management Bureau
Quezon City

HON. MA. ESPERANZA CHRISTINA GARCIA FRASCO

Secretary

Department of Tourism (DOT)
Makati City

HON. J. PROSPERO E. DE VERA III, DPA

Chairman

Commission on Higher Education (CHED)

Quezon City

HON. SUHARTO T. MANGUNGUDATU

Secretary

Technical Education and Skills Development Authority (TESDA)

Taguig City

HON. MARK LLANDRO L. MENDOZA

Secretary, PLLO

Chief of the Presidential Legislative Liaison Office and Presidential Adviser on Legislative Affairs

City of Manila

HON. REYNALDO S. TAMAYO JR.

National President

League of Provinces of the Philippines (LPP)

Pasig City

HON. MICHAEL L. RAMA

National President

League of Cities of the Philippines (LCP)

Quezon City

HON. JOSEPH SANTO NIÑO “JB” BERNOS

National President

Leagues of Municipalities of the Philippines (LMP)

Quezon City

HON. DAX CUA

President

Union of Local Authorities of the Philippines (ULAP)

Mandaluyong City

Your Honors:

The House of Representatives' Committee on Public Works and Highways would like to request for your comments and recommendations on House Bills 618, 3495, 4732, 6809, 7039, and 7046 on the proposed establishment of public recreational spaces in all cities and municipalities in the country and its integration in their respective comprehensive land use plans.

Attached herewith are copies of the above-mentioned House Bills for your reference. You may also download copies of the same at www.congress.gov.ph.

We would highly appreciate receiving your comments/recommendations at the soonest possible time.

Thank you.

Very truly yours,

FOR THE HONORABLE CHAIRMAN ROMEO S. MOMO SR.:

A handwritten signature in black ink, appearing to read 'A. Dapuran', with a long horizontal flourish extending to the right.

AILEEN UY DAPURAN
Committee Secretary

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 618



Introduced by Hon. Christopher V.P. de Venecia

**AN ACT
ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND
APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Open and green spaces, especially those located within or near urban areas, contribute greatly to public health, beautify our surroundings, and offer potentials for sustainable economic growth to our communities.

These public open spaces are crucial in reducing stress and mental disorders among residents of urban areas. Public parks also diminish health inequalities and increase perception of life quality and self-reported general health. They also provide arenas and opportunities for physical activity, increased social interactions and different modes of recreation¹. The example of developed countries has also shown that cities and towns become more attractive when they have numerous public parks as part of their tourism plan.

For this reason, developed countries around the world have incorporated public parks in the habitats of their citizens while the United Nations has identified these spaces as integral to the attainment of Sustainable Development Goal # 11 which is the creation and maintenance of Sustainable Cities and Communities.

The Philippines, however, lags behind these developed countries. First and foremost, the concept of a park is not clearly defined and the allocation of public spaces in urban areas for such purpose, unmandated on a national level.

Bearing in mind that 54% of the 7.2 billion world population in 2014 reside in urban areas, with a higher concentration in less developed regions of the world, developing public parks and green spaces is an urgent matter. The situation is no different in the Philippines where the urban population increased to more than 50 million in the past five decades. This figure

¹<https://worldurbanparks.org/images/Newsletters/IfpraBenefitsOfUrbanParks.pdf>

will balloon to 102 million by year 2050, or more than 65% of the Philippines' total population, according to the *Philippines Urbanization Review* by the World Bank Group².

This National and Local Public Parks Bill is filed. This Bill seeks to establish the National and Local Public Parks System in the Philippines by identifying the initial two National and Local Public Parks to be under the system: the historical Rizal Park and the Paco Park both located in the City of Manila. The Bill also mandates identification and establishment of urban parks, open and green spaces, and recreational areas that shall constitute the National and Local Public Parks System by local government units nationwide.

Lastly, the establishment of the National and Local Public Parks Institute under the supervision of the National Public Parks Board shall also pave way for the training and education of future generations on park development, urban planning, sustainable tourism and environmental protection.

Immediate passage of this bill is earnestly sought.



HON. CHRISTOPHER V.P. DE VENECIA

Fourth District, Pangasinan

²<http://documents.worldbank.org/curated/en/963061495807736752/pdf/114088-REVISED-PUBLIC-Philippines-Urbanization-Review-Full-Report.pdf>

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 618

Introduced by Hon. Christopher V.P. de Venecia

AN ACT
ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND
APPROPRIATING FUNDS THEREFOR

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

Chapter 1 - Introductory Sections

Section 1. Short Title. — This Act shall be known as the "*National Parks Act*".

Sec. 2. Declaration of Policy. — It is the policy of the State to protect and maintain the health and well-being of the Filipino people, through the establishment and preservation of parks and open spaces. To this end, the State recognizes parks and open spaces as valuable assets, and as such:

- a) shall establish the Philippine National Public Parks System aimed to conserve the scenery, natural and historic objects, and to provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
- b) shall recognize that parks and open spaces contribute to human health and wellbeing, social cohesion / identity, tourism, biodiversity, air quality and carbon sequestration, water management, and cooling the environment.

Sec. 3. Definition of Terms.— As used in this Act, the following words shall mean:

- a) *Administrator* – refers to the Chief Executive Officer and Head of the National and Local Public Parks Authority (NALPA) Secretariat as defined in Sec. of this Act.
- b) *Board* – refers to the NALPA Board as defined in Sec. 5 of this Act.
- c) National and Local Public Parks refer to any land laid out as a public garden and/or used for the purpose of public recreation. This does not refer to national shrines administered by the Philippine Veterans Affairs Office.

- d) *National and Local Public Parks System or the System* – refers to the system of parks and open spaces as defined under Chapter 4 of this Act.
- e) *NIPAS* – refers to the National Integrated Protected Areas System as defined in Republic Act No. 7586, as amended, or the NIPAS Act.
- f) *NPDC* – refers to the National Parks Development Committee created by Executive Order 30 series of 1963.
- g) *NPF* or *NPFI* – refers to the Nayong Pilipino Foundation Inc., a government owned and controlled corporation registered with the Securities and Exchange Commission on May 7, 1969, as a non-stock, non-profit corporation. Presidential Decree No. 37 established the Nayong Pilipino Foundation on November 6, 1972.
- h) *Protected Areas* – refers to the Protected Areas as defined under the NIPAS Act.
- i) *Secretariat* – refers to the NALPA Secretariat as defined under Sec. 7 of this Act.

Chapter 2 – Establishment of the National and Local Public Parks Authority

Sec. 4. Composition of the Authority. — The Authority shall be composed of the Board and the Secretariat.

Sec. 5. Composition of the Board. — The NALPA Board shall be composed of the representatives of the following:

Secretary of Tourism	:	Chairperson
Secretary of Environment and Natural Resources [who shall be officially represented by the Director of the Biodiversity Management Bureau]	:	Co-Chairperson
Secretary of Public Works and Highways	:	Member
Secretary of the Agriculture	:	Member
Secretary of Interior and Local Government	:	Member
Chairperson of the Commission of Higher Education	:	Member
Director-General of the TESDA Secretariat	:	Member

In addition, the President of the Philippines shall appoint the following members from the private sector:

- Two representatives, from a recognized professional architectural organization; and
- Two representatives, from the academe, preferably in urban planning and development.

As soon as all the members of the private sector are appointed, they shall so organize themselves that the term of office of one-third (1/3) of their number shall expire every year. The member from the private sector appointed thereafter to fill vacancies caused by expiration of terms shall hold office for three (3) years.

The President of the Philippines may, however, revise the membership of the NALPA Board, whenever the President deems it necessary for the effective performance of the Board's functions through an administrative order.

The NALPA Board shall meet at least twice a year, or as frequently as may be deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-Chairperson shall preside. The internal rules of the NALPA Board shall be promulgated during its first organizational meeting.

The benefits, privileges and emoluments of the Board shall be consistent with existing laws and rules.

Sec. 6. Powers and Functions of the Board. — The Authority shall primarily be responsible for the National and Local Public Parks System including the establishment of policies, plans and programs taking into consideration the following:

- a) the State policy declared herein of giving due consideration to the establishment and maintenance of national and urban parks, open and green spaces, and recreational facilities;
- b) the implementation of the above-mentioned policy requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of Philippine society; and
- c) equal and active participation of the national government and its appropriate agencies, the LGUs, the academe, and the private sector shall be made the rule in order to ensure that the National and Local Public Parks System shall be fully established and maintained.

The Board, shall have the following powers:

- a) Establish minimum quotas for all LGUs for the designation of municipal and city lands for public parks, where applicable.
- b) manage the country's National and Local Public Parks System, and in doing so shall guide and assist other government agencies and entities, and the LGUs in the planning, establishment, and management of parks that will be included in the System;
- c) promulgate, after due consultation with concerned groups and entities, policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act and the establishment of the National and Local Public Parks System;
- d) establish and manage the National and Local Public Parks Institute which shall serve as the national center for park administration, management, and maintenance training, research and development;
- e) in coordination with the Biodiversity Management Bureau, shall make Protected Areas accessible to the public for recreational purposes;
- f) organize and constitute standing committees, subsidiary groups, or technical working groups for the efficient integration and coordination of local open spaces and urban parks;
- g) exact reasonable fees and charges for such services provided and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the Authority;
- h) create, when deemed necessary, an Advisory Committee which shall provide expert and technical advice to the Board to be chosen from the academe and the private sector: Provided, that in case the Advisory Committee is created, the Board is hereby authorized to set aside a portion of its appropriation for its operation; and
- i) carry out any and all other functions characteristic of public institutions of similar mandate and national scope, in line with prevailing international principles and best practices.

Sec. 7. The NALPA Secretariat. — The NALPA Secretariat, an independent agency of the executive department, shall have the primary mission of providing pro-active leadership in the

continuous development of systematic approaches as well as measures to maintain and manage the National and Local Public Parks System, and shall have the following functions and responsibilities:

- a) to establish and maintain a planning process and formulate a national parks development plan in which all concerned groups and entities at various levels participate;
- b) to provide analytical inputs to policy decision-making of the Authority on allocation of resources and institutional roles and responsibilities as shall be embodied in the annual national parks plans;
- c) to recommend measures, and implement the same upon approval by the Authority, for the effective and efficient implementation of the national parks development plan;
- d) to propose to the Authority the specific allocation of resources for the programs and projects it shall undertake pursuant to approved national parks development plan;
- e) to submit to the Authority periodic reports on the progress and accomplishment of work programs of implementation of plans and policies; and
- f) to perform such other functions and duties as may be assigned by the Board.

Sec. 8. The Dissolution of NPDC and NFC and Transfer to NALPA Secretariat. — The NPDC and NFC are hereby dissolved and all their powers, functions, responsibilities, all applicable funds and appropriations, records, assets, and properties are hereby transferred to the NALPA Secretariat.

Sec. 9. The NALPA Administrator and Chief Executive Officer. — The NALPA Secretariat shall be headed by an Administrator, who shall likewise be a member of the Board. The Administrator shall be appointed by the President of the Philippines and shall enjoy the benefits, privileges and emoluments equivalent to the rank of Undersecretary.

As Chief Executive Officer of the Secretariat, the Administrator shall exercise general supervision and control over its technical and administrative personnel. The Administrator shall have the power to recommend to the Authority the structural organization and the personnel complement of the Secretariat. Furthermore, Administrator shall appoint such personnel necessary to carry out the objectives, policies and functions of the Authority subject to Civil Service laws, rules and regulations.

The Administrator may call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the management and administration of any park in the System. This authority includes the power to call on the Philippine National Police to maintain peace and order in any park in the System.

The performance of the functions of the Administrator under this Act shall, in no case, result in the diminution of the powers of the LGUs to establish their own parks or develop their own open or green spaces.

Sec. 10. Deputy Administrators. — The Administrator shall be assisted by four (4) Deputy Administrators for: (i) Research and Development, (ii) National and Local Public Parks Operations, (iii) Local Public Parks Operations, and (iv) Park Architecture & Planning.

The Deputy Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of Assistant Secretary.

Sec. 11. Regional Administrators. — The Regional Administrators shall be under the direct control of the Administrator and shall oversee the operations of National and Local Public Parks at the regional level.

The Regional Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of a Regional Director, and shall provide technical assistance particularly to local government units for effective supervision, coordination, and monitoring of national and local parks within their localities, and their integration to the National Public Park System.

Sec. 12. Organizational Divisions. — The Secretariat shall have the following Divisions which shall be headed by Division Chiefs:

- a) Administrative Division
- b) Finance Division
- c) Programs and Public Affairs Division
- d) Internal Audit Division
- e) Security and Safety Division
- f) Information and Communications Technology Division
- g) Cultural & Heritage Preservation Division

The following Divisions shall be headed by the Deputies Administrators:

- a) National Public Park Operations & Management
- b) Local Public Park Operations & Management
- c) Research & Development
- d) Park Architecture & Planning

Sec. 13. Personnel Training, Development and Performance Incentives. — The Authority shall undertake training and development programs to upgrade the capabilities of its personnel in its various functions. Personnel shall be allowed to train or study outside the Institute, in the Philippines or abroad, on official time, subject to the needs of the service, upon approval of the Administrator.

A system of monetary incentives shall be established to reward the superior performance and milestones of professional development on the part of management and administrative and technical personnel, subject to approval of the Department of Budget and Management and, where applicable, to the Civil Service Commission.

Sec. 14. Consultants and Technical Assistance, Publication and Research. — In pursuing its objectives, the Authority is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, and private organizations for research work and publication in the field of national and urban parks, and open and green spaces. It shall avail itself of the services of other agencies of the Government as may be required.

Sec. 15. Privileges of the Authority. — In line with the declared policy and the avowed purposes of this Act, and to ensure its independence and autonomy, the NALPA Secretariat shall be attached solely for budgetary coordination and related purposes to the Office of the President. The Secretariat shall:

- a) be classified as a National Government Agency, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government to cover appropriately the entirety of its mandated operations and activities;
- b) be considered as higher in level than a Bureau or Bureau-level agency but beneath that of a Department or Department-level agency, primarily for administrative purposes as to staffing pattern and compensation scales; and
- c) enjoy such privileges and special rules characteristic of both a Government-Owned or -Controlled Corporation and a State University or College wherever possible and which, in any and all cases, promote the objectives of this Act; and that special rules as may be necessary to this effect be formulated and appropriately promulgated by the NALPA, the Department of Budget and Management, the Commission on Audit, and other concerned agencies.

Chapter 3 – The National Parks Institute

Sec. 16. The Creation of the National Parks Institute. — There is hereby created the National Parks Institute of the Philippines which shall be under the supervision of the Board. The Institute shall serve as the training and development arm of Authority. The Institute shall be headed by a Director.

In coordination with CHED and state universities and colleges, and other private universities and institutions, the Institute shall establish a unique training course aimed at supporting the purposes of this Act, and shall:

- a) formulate and implement training programs for all personnel of NALPA, and of LGUs, and other agencies, and private entities and institutions who wish to train with the Institute;
- b) formulate and implement select mandatory and specialized courses, and for that purpose shall be allowed to issue diplomas and technical certificates under such rules as will be coordinated with CHED and TESDA;
- c) develop and implement research and development to support NALPA and for educational training programs; and
- d) perform such other related functions as may be prescribed by NALPA and the Board.

Chapter 4 – The National Parks System

Sec. 17. Study and Planning of National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities. — Within 3 years from the effectivity of this Act, the Authority shall make a comprehensive study of the National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities programs of the national government and the LGUs and of areas of land throughout the Philippines that are or may be chiefly valuable as National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities.

The report shall be submitted to the Board who shall be empowered to declare specifically identified areas as either National Parks, Urban Parks, Open Spaces, or Recreational-Area Facilities.

Sec. 18. Identification of National Parks. — Notwithstanding any law or proclamation to the contrary, the following parks are hereby considered National Parks and shall be under the authority of the Authority: (1) the Rizal Park, and the (2) the Paco Park.

The Administrator, and its Provincial Administrators, are strictly mandated to investigate, study, and continually monitor areas whose over-all circumstances exhibit qualities of national significance and that may have potential to become a NALPA Park.

Sec. 19. Acquisition of Land. – In the exercise of its power under this Act, the Authority through the Administrator shall have the power to acquire land and interests in land within the boundary of any NALPA Park. In the same manner and for the establishment of an identified National Park, the power of eminent domain shall be exercised through the Administrator, or by any of its Deputies or Provincial Administrators.

Sec. 20. Creation of Urban Parks and Open Spaces in LGUs. – Within the period provided by the Authority, LGUs shall be obliged to identify Urban Parks and Open Spaces within their jurisdictions.

Identified areas may either become NALPA Administered Parks or maintain their nature as Local Parks at the discretion of the LGU.

The Authority is hereby mandated to enter into cooperative agreements with colleges and universities, in partnership with LGUs and other agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources in the NALPA Parks, or the LGU of which the NALPA Park is located for possible commercial production or utilization.

Sec. 21. Delineation of Authority and Coverage. - Subject to the IRR and dependent on the categorization of the land or an area, a nature reserve or a declared protected area under the NIPAS shall continue to be under the jurisdiction of the DENR. All other parks established or may be established may be covered under this Act.

Sec. 22. Administration, Management, and Funding of NALPA Parks. – Subject to reasonable restrictions under the IRR, the general public are hereby to be granted free admission to all NALPA Parks. However, the Authority may levy appropriate fees to special activities or programs.

Sec. 23. Retention of Income. – The Authority is hereby authorized to retain the entirety of its income from all sources of its operations nationwide, and to spend the same for any purpose.

Sec. 24. The NALPA Fund. – The NALPA Fund is hereby established, to be managed/administered by the Authority, the income from which shall be utilized exclusively in awarding of grants and providing assistance to park development programs, local government units for upgrading their capabilities, and to develop and implement training and training-related activities for park development. The contribution to the fund shall be the following:

- a) a one-time lump sum appropriation from the National Government in the amount of P100,000,000.00;

- b) donations, grants, endowments, and other bequests or gifts of which the Authority is hereby authorized to accept, and
- c) any other income generated by the Authority.

The Authority shall be the administrator of the fund, and as such, shall formulate the necessary implementing guidelines for the management of the fund, subject to the following: a) unless otherwise stipulated by the private donor, only earnings of private contributions shall be used; and b) no part of the seed capital of the fund, including earnings, thereof, shall be used to underwrite expenses for administration.

The Board shall appoint a reputable government-accredited investment institution as fund manager, subject to guidelines promulgated by the Board.

Sec. 25. Incentives Schemes. — The Authority shall develop and administer appropriate incentives schemes to encourage the LGUs and private industries and institutions to participate in the development of the National Parks System.

Sec. 26. Parks and Green Spaces Awards. — To promote parks development in the country and with the view of participating in international park development competitions, the Authority, with the active participation of private industries, shall organize and conduct annual Parks and Green Spaces Awards. The Authority, through the Secretariat, shall promulgate the necessary rules and guidelines for the effective and efficient conduct of Annual National Parks and Green Spaces Competition among the LGUs and for the country's participation in international park development competitions.

Sec. 27. Exemption from Taxes, Duties, Fees and Charges. — The Authority shall be exempt from the payment of taxes, fees and charges imposed by the National Government and its political subdivisions, agencies and instrumentalities regardless of the nature of its activity.

All donations in any form shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as amended.

Furthermore, importation of supplies and materials for the use of the Authority shall be exempt from customs duties.

Sec. 28. Commercial Operations of and inside of NALPA Parks. — The Authority shall be authorized to undertake commercial operations, the proceeds of which shall be credited to the NALPA Fund:

- a) The rental of dedicated areas for external events, functions and similar activities;
- b) The lease of dedicated areas for the erection and operation of commercial establishments inside NALPA Parks, which NALPA shall be allowed to award, through public bidding, and giving preference to nonprofit organizations of a nature related to or supportive of its mandate, for a term of up to five (5) years per contract;
- c) The production and/or licensing of official merchandise;
- d) The award of concession contracts when the Authority shall utilize concession contracts to authorize a person, corporation, or other entity to provide accommodations, facilities, and services to visitors or users of NALPA Parks.

Sec. 29. Contracted Services. – Then Authority is authorized to contract out services for Park Management and Safety and Security Services.

Chapter 5 – Miscellaneous Provisions

Sec. 30. NALPA Budget. – The amount necessary to finance the initial implementation of this Act shall be charged against the existing appropriations of the NPDC and the NPF, and shall be supported by funds coming from the Office of the President. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Sec. 31. Implementing Rules and Regulations. – Within 180 days from the effectivity of this Act, the Administrator shall submit to the Board the implementing rules and regulations of this Act upon prior consultation with all concerned groups and entities.

Sec. 32. Transitory Provisions. –

- a) Within two (2) months after the approval of this Act, the President shall, in consultation with the Secretary of Tourism appoint the private sector representatives of the Board.
- b) Within three (3) months after the appointment of the private sector representatives, the President shall, upon the recommendation of the Board, appoint the Administrator.
- c) Within four (4) months after the appointment of the Administrator, the Board shall convene to determine the organizational structure and staffing pattern of the Authority.
- d) Within one (1) year after the organization of the Authority, the Board shall commission an expert group on funding schemes for the NALPA Fund, as provided in Section 24, the results of which shall be used as the basis for appropriate action by the Board.
- e) Upon the effectivity of this Act, and prior to the appointment of the Board and the Administrator, the heads and personnel of both NPDC and the NPF shall continue to exercise their functions and duties, in holdover capacity, and shall ensure the smooth transition to the Board and the Administrator.
- f) All personnel of the NPDC and NPF are hereby deemed retired from service. Retirement and separation benefits shall be paid under existing rules and regulations.
- g) The Authority may on its discretion retain any personnel of NPDC and NPF it deems necessary to carry out its purpose and function.
- h) The ownership and title to the properties now actually occupied by the NPF and NPDC are hereby transferred in fee simple to the Authority, subject to the following conditions:
 - 1) The titles to the land conveyed by this Act shall not be transferred by the Authority to another person or entity without previous authorization by the President of the Philippines.
 - 2) The Authority is hereby authorized to mortgage any properties referred to above for the purpose of carrying out its objectives and purposes only; and
 - 3) In case the Authority is dissolved or ceases, for any reason, to undertake its objectives, or ceases to need any of the lands for any reason, said land shall *ipso facto* revert to the National Government without compensation.

Sec. 33. Automatic Review. — Every five (5) years, after the effectivity of this Act, an independent review panel composed of three (3) persons appointed by the President shall

review the performance of the Authority and shall make recommendations, based on its findings to the President and to both Houses of Congress.

Sec. 34. Repealing Clause. – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules or regulation inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 35. Separability Clause. – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

Sec. 36. Effectivity. – This Act shall take effect fifteen (15) days after the publication in the Official Gazette or in a newspaper of general circulation.

Approved.



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 3495



Introduced by Representative Geraldine B. Roman

EXPLANATORY NOTE

Open and green spaces, especially those located within or near urban areas, contribute greatly to public health, beautify our surroundings, and offer potentials for sustainable economic growth to our communities.

These public open spaces are crucial in reducing stress and mental disorders among residents of urban areas. Public parks also diminish health inequalities and increase perception of life quality and self-reported general health. They also provide arenas and opportunities for physical activity, increased social interactions and different modes of recreation¹. The example of developed countries has also shown that cities and towns become more attractive when they have numerous public parks as part of their tourism plan.

For this reason, developed countries around the world have incorporated public parks in the habitats of their citizens while the United Nations has identified these spaces as integral to the attainment of Sustainable Development Goal # 11 which is the creation and maintenance of Sustainable Cities and Communities.

The Philippines, however, lags behind these developed countries. First and foremost, the concept of a park is not clearly defined and the allocation of public spaces in urban areas for such purpose, unmandated on a national level.

Bearing in mind that 54% of the 7.2 billion world population in 2014 reside in urban areas, with a higher concentration in less developed regions of the world, developing public parks and green spaces is an urgent matter. The situation is no different in the Philippines where the urban

¹<https://worldurbanparks.org/images/Newsletters/IfpraBenefitsOfUrbanParks.pdf>

population increased to more than 50 million in the past five decades. This figure will balloon to 102 million by year 2050, or more than 65% of the Philippines' total population, according to the *Philippines Urbanization Review* by the World Bank Group².

In response to this urgent need, and as a component of the government's "Build Build Build" drive, a "Green Green Green" Program has been launched by the Department of Budget and Management in 2018. The program is a unique assistance program that aims to make cities more livable and sustainable through the development of public open spaces.

Aiming to support this program, this National and Local Public Parks Bill is filed. This Bill seeks to establish the National and Local Public Parks System in the Philippines by identifying the initial 2 National and Local Public Parks to be under the system: the historical Rizal Park and the Paco Park both located in the City of Manila. The Bill also mandates identification and establishment of urban parks, open and green spaces, and recreational areas that shall constitute the National and Local Public Parks System by local government units nationwide.

Lastly, the establishment of the National and Local Public Parks Institute under the supervision of the National Public Parks Board shall also pave way for the training and education of future generations on park development, urban planning, sustainable tourism and environmental protection.

Immediate passage of this bill is earnestly sought.


GERALDINE B. ROMAN

² <http://documents.worldbank.org/curated/en/963061495807736752/pdf/114088-REVISED-PUBLIC-Philippines-Urbanization-Review-Full-Report.pdf>



Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

NINETEENTH CONGRESS
First Regular Session

House Bill No. 3495

Introduced by Representative Geraldine B. Roman

AN ACT
ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM,
AND APPROPRIATING FUNDS THEREFOR

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

Chapter 1 - Introductory Sections

Section 1. Short Title. — This Act shall be known as the "*National Parks Act of 2020*".

Sec. 2. Declaration of Policy. — It is the policy of the State to protect and maintain the health and well-being of the Filipino people, through the establishment and preservation of parks and open spaces. To this end, the State recognizes parks and open spaces as valuable assets, and as such:

- a) shall establish the Philippine National Public Parks System aimed to conserve the scenery, natural and historic objects, and to provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
- b) shall recognize that parks and open spaces contribute to human health and wellbeing, social cohesion / identity, tourism, biodiversity, air quality and carbon sequestration, water management, and cooling the environment.

Sec. 3. Definition of Terms. — As used in this Act, the following words shall mean:

- a) *Administrator* – refers to the Chief Executive Officer and Head of the National and Local Public Parks Authority (NALPA) Secretariat as defined in Sec. of this Act.
- b) *Board* – refers to the NALPA Board as defined in Sec. 5 of this Act.
- c) National and Local Public Parks refer to any land laid out as a public garden and/or used for the purpose of public recreation. This does not refer to national shrines administered by the Philippine Veterans Affairs Office.
- d) *National and Local Public Parks System or the System* – refers to the system of parks and open spaces as defined under Chapter 4 of this Act.
- e) *NIPAS* – refers to the National Integrated Protected Areas System as defined in Republic Act No. 7586, as amended, or the NIPAS Act.
- f) *NPDC* – refers to the National Parks Development Committee created by Executive Order 30 series of 1963.
- g) *NPF* or *NPFI* – refers to the Nayong Pilipino Foundation Inc., a government owned and controlled corporation registered with the Securities and Exchange Commission on May 7, 1969, as a non-stock, non-profit corporation. Presidential Decree No. 37 established the Nayong Pilipino Foundation on November 6, 1972.
- h) *Protected Areas* – refers to the Protected Areas as defined under the NIPAS Act.
- i) *Secretariat* – refers to the NALPA Secretariat as defined under Sec. 7 of this Act.

Chapter 2 – Establishment of the National and Local Public Parks Authority

Sec. 4. Composition of the Authority. — The Authority shall be composed of the Board and the Secretariat.

Sec. 5. Composition of the Board. — The NALPA Board shall be composed of the representatives of the following:

Secretary of Tourism	:	Chairperson
Secretary of Environment and Natural Resources: [who shall be officially represented by the Director of the Biodiversity Management Bureau]	:	Co-Chairperson
Secretary of Public Works and Highways	:	Member
Secretary of the Agriculture	:	Member
Secretary of Interior and Local Government	:	Member
Chairperson of the Commission of Higher Education	:	Member
Director-General of the TESDA Secretariat	:	Member

In addition, the President of the Philippines shall appoint the following members from the private sector:

Two representatives, from a recognized professional architectural organization; and

Two representatives, from the academe, preferably in urban planning and development.

As soon as all the members of the private sector are appointed, they shall so organize themselves that the term of office of one-third (1/3) of their number shall expire every year. The member from the private sector appointed thereafter to fill vacancies caused by expiration of terms shall hold office for three (3) years.

The President of the Philippines may, however, revise the membership of the NALPA Board, whenever the President deems it necessary for the effective performance of the Board's functions through an administrative order.

The NALPA Board shall meet at least twice a year, or as frequently as may be deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-Chairperson shall preside. The internal rules of the NALPA Board shall be promulgated during its first organizational meeting.

The benefits, privileges and emoluments of the Board shall be consistent with existing laws and rules.

Sec. 6. Powers and Functions of the Board. — The Authority shall primarily be responsible for the National and Local Public Parks System including the establishment of policies, plans and programs taking into consideration the following:

- a) the State policy declared herein of giving due consideration to the establishment and maintenance of national and urban parks, open and green spaces, and recreational facilities;
- b) the implementation of the above-mentioned policy requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of Philippine society; and
- c) equal and active participation of the national government and its appropriate agencies, the LGUs, the academe, and the private sector shall be made the rule in order to ensure that the National and Local Public Parks System shall be fully established and maintained.

The Board, shall have the following powers:

- a) Establish minimum quotas for all LGUs for the designation of municipal and city lands for public parks, where applicable.
- b) manage the country's National and Local Public Parks System, and in doing so shall guide and assist other government agencies and entities, and the LGUs in the planning, establishment, and management of parks that will be included in the System;
- c) promulgate, after due consultation with concerned groups and entities, policies, plans, programs and guidelines as may be necessary for the

effective implementation of this Act and the establishment of the National and Local Public Parks System;

- d)** establish and manage the National and Local Public Parks Institute which shall serve as the national center for park administration, management, and maintenance training, research and development;
- e)** in coordination with the Biodiversity Management Bureau, shall make Protected Areas accessible to the public for recreational purposes;
- f)** organize and constitute standing committees, subsidiary groups, or technical working groups for the efficient integration and coordination of local open spaces and urban parks;
- g)** exact reasonable fees and charges for such services provided and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the Authority;
- h)** create, when deemed necessary, an Advisory Committee which shall provide expert and technical advice to the Board to be chosen from the academe and the private sector: Provided, that in case the Advisory Committee is created, the Board is hereby authorized to set aside a portion of its appropriation for its operation; and
- i)** carry out any and all other functions characteristic of public institutions of similar mandate and national scope, in line with prevailing international principles and best practices.

Sec. 7. The NALPA Secretariat. — The NALPA Secretariat, an independent agency of the executive department, shall have the primary mission of providing pro-active leadership in the continuous development of systematic approaches as well as measures to maintain and manage the National and Local Public Parks System, and shall have the following functions and responsibilities:

- a)** to establish and maintain a planning process and formulate a national parks development plan in which all concerned groups and entities at various levels participate;
- b)** to provide analytical inputs to policy decision-making of the Authority on allocation of resources and institutional roles and responsibilities as shall be embodied in the annual national parks plans;
- c)** to recommend measures, and implement the same upon approval by the Authority, for the effective and efficient implementation of the national parks development plan;
- d)** to propose to the Authority the specific allocation of resources for the programs and projects it shall undertake pursuant to approved national parks development plan;
- e)** to submit to the Authority periodic reports on the progress and accomplishment of work programs of implementation of plans and policies; and
- f)** to perform such other functions and duties as may be assigned by the Board.

Sec. 8. The Dissolution of NPDC and NFC and Transfer to NALPA Secretariat. — The NPDC and NFC are hereby dissolved and all their powers,

functions, responsibilities, all applicable funds and appropriations, records, assets, and properties are hereby transferred to the NALPA Secretariat.

Sec. 9. The NALPA Administrator and Chief Executive Officer. — The NALPA Secretariat shall be headed by an Administrator, who shall likewise be a member of the Board. The Administrator shall be appointed by the President of the Philippines and shall enjoy the benefits, privileges and emoluments equivalent to the rank of Undersecretary.

As Chief Executive Officer of the Secretariat, the Administrator shall exercise general supervision and control over its technical and administrative personnel. The Administrator shall have the power to recommend to the Authority the structural organization and the personnel complement of the Secretariat. Furthermore, Administrator shall appoint such personnel necessary to carry out the objectives, policies and functions of the Authority subject to Civil Service laws, rules and regulations.

The Administrator may call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the management and administration of any park in the System. This authority includes the power to call on the Philippine National Police to maintain peace and order in any park in the System.

The performance of the functions of the Administrator under this Act shall, in no case, result in the diminution of the powers of the LGUs to establish their own parks or develop their own open or green spaces.

Sec. 10. Deputy Administrators. — The Administrator shall be assisted by four (4) Deputy Administrators for: (i) Research and Development, (ii) National and Local Public Parks Operations, (iii) Local Public Parks Operations, and (iv) Park Architecture & Planning.

The Deputy Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of Assistant Secretary.

Sec. 11. Regional Administrators. — The Regional Administrators shall be under the direct control of the Administrator and shall oversee the operations of National and Local Public Parks at the regional level.

The Regional Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of a Regional Director, and shall provide technical assistance particularly to local government units for effective supervision, coordination, and monitoring of national and local parks within their localities, and their integration to the National Public Park System.

Sec. 12. Organizational Divisions. — The Secretariat shall have the following Divisions which shall be headed by Division Chiefs:

- a) Administrative Division
- b) Finance Division
- c) Programs and Public Affairs Division
- d) Internal Audit Division
- e) Security and Safety Division
- f) Information and Communications Technology Division
- g) Cultural & Heritage Preservation Division

The following Divisions shall be headed by the Deputies Administrators:

- a) National Public Park Operations & Management
- b) Local Public Park Operations & Management
- c) Research & Development
- d) Park Architecture & Planning

Sec. 13. Personnel Training, Development and Performance Incentives. — The Authority shall undertake training and development programs to upgrade the capabilities of its personnel in its various functions. Personnel shall be allowed to train or study outside the Institute, in the Philippines or abroad, on official time, subject to the needs of the service, upon approval of the Administrator.

A system of monetary incentives shall be established to reward the superior performance and milestones of professional development on the part of management and administrative and technical personnel, subject to approval of the Department of Budget and Management and, where applicable, to the Civil Service Commission.

Sec. 14. Consultants and Technical Assistance, Publication and Research. — In pursuing its objectives, the Authority is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, and private organizations for research work and publication in the field of national and urban parks, and open and green spaces. It shall avail itself of the services of other agencies of the Government as may be required.

Sec. 15. Privileges of the Authority. — In line with the declared policy and the avowed purposes of this Act, and to ensure its independence and autonomy, the NALPA Secretariat shall be attached solely for budgetary coordination and related purposes to the Office of the President. The Secretariat shall:

- a) be classified as a National Government Agency, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government to cover appropriately the entirety of its mandated operations and activities;
- b) be considered as higher in level than a Bureau or Bureau-level agency but beneath that of a Department or Department-level agency, primarily for administrative purposes as to staffing pattern and compensation scales; and

- c) enjoy such privileges and special rules characteristic of both a Government-Owned or -Controlled Corporation and a State University or College wherever possible and which, in any and all cases, promote the objectives of this Act; and that special rule as may be necessary to this effect be formulated and appropriately promulgated by the NALPA, the Department of Budget and Management, the Commission on Audit, and other concerned agencies.

Chapter 3 – The National Parks Institute

Sec. 16. The Creation of the National Parks Institute. — There is hereby created the National Parks Institute of the Philippines which shall be under the supervision of the Board. The Institute shall serve as the training and development arm of Authority. The Institute shall be headed by a Director.

In coordination with CHED and state universities and colleges, and other private universities and institutions, the Institute shall establish a unique training course aimed at supporting the purposes of this Act, and shall:

- a) formulate and implement training programs for all personnel of NALPA, and of LGUs, and other agencies, and private entities and institutions who wish to train with the Institute;
- b) formulate and implement select mandatory and specialized courses, and for that purpose shall be allowed to issue diplomas and technical certificates under such rules as will be coordinated with CHED and TESDA;
- c) develop and implement research and development to support NALPA and for educational training programs; and
- d) perform such other related functions as may be prescribed by NALPA and the Board.

Chapter 4 – The National Parks System

Sec. 17. Study and Planning of National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities. — Within 3 years from the effectivity of this Act, the Authority shall make a comprehensive study of the National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities programs of the national government and the LGUs and of areas of land throughout the Philippines that are or may be chiefly valuable as National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities.

The report shall be submitted to the Board who shall be empowered to declare specifically identified areas as either National Parks, Urban Parks, Open Spaces, or Recreational-Area Facilities.

Sec. 18. Identification of National Parks. — Notwithstanding any law or proclamation to the contrary, the following parks are hereby considered

National Parks and shall be under the authority of the Authority: (1) the Rizal Park, and the (2) the Paco Park.

The Administrator, and its Provincial Administrators, are strictly mandated to investigate, study, and continually monitor areas whose over-all circumstances exhibit qualities of national significance and that may have potential to become a NALPA Park.

Sec. 19. Acquisition of Land. – In the exercise of its power under this Act, the Authority through the Administrator shall have the power to acquire land and interests in land within the boundary of any NALPA Park. In the same manner and for the establishment of an identified National Park, the power of eminent domain shall be exercised through the Administrator, or by any of its Deputies or Provincial Administrators.

Sec. 20. Creation of Urban Parks and Open Spaces in LGUs. – Within the period provided by the Authority, LGUs shall be obliged to identify Urban Parks and Open Spaces within their jurisdictions.

Identified areas may either become NALPA Administered Parks or maintain their nature as Local Parks at the discretion of the LGU.

The Authority is hereby mandated to enter into cooperative agreements with colleges and universities, in partnership with LGUs and other agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources in the NALPA Parks, or the LGU of which the NALPA Park is located for possible commercial production or utilization.

Sec. 21. Delineation of Authority and Coverage. - Subject to the IRR and dependent on the categorization of the land or an area, a nature reserve or a declared protected area under the NIPAS shall continue to be under the jurisdiction of the DENR. All other parks established or may be established may be covered under this Act.

Sec. 22. Administration, Management, and Funding of NALPA Parks. – Subject to reasonable restrictions under the IRR, the general public are hereby to be granted free admission to all NALPA Parks. However, the Authority may levy appropriate fees to special activities or programs.

Sec. 23. Retention of Income. – The Authority is hereby authorized to retain the entirety of its income from all sources of its operations nationwide, and to spend the same for any purpose.

Sec. 24. The NALPA Fund. – The NALPA Fund is hereby established, to be managed/administered by the Authority, the income from which shall be utilized exclusively in awarding of grants and providing assistance to park development programs, local government units for upgrading their capabilities, and to develop and implement training and training-related

activities for park development. The contribution to the fund shall be the following:

- a) a one-time lump sum appropriation from the National Government in the amount of P100,000,000.0;
- b) donations, grants, endowments, and other bequests or gifts of which the Authority is hereby authorized to accept, and
- c) any other income generated by the Authority.

The Authority shall be the administrator of the fund, and as such, shall formulate the necessary implementing guidelines for the management of the fund, subject to the following: a) unless otherwise stipulated by the private donor, only earnings of private contributions shall be used; and b) no part of the seed capital of the fund, including earnings, thereof, shall be used to underwrite expenses for administration.

The Board shall appoint a reputable government-accredited investment institution as fund manager, subject to guidelines promulgated by the Board.

Sec. 25. Incentives Schemes. — The Authority shall develop and administer appropriate incentives schemes to encourage the LGUs and private industries and institutions to participate in the development of the National Parks System.

Sec. 26. Parks and Green Spaces Awards. — To promote parks development in the country and with the view of participating in international park development competitions, the Authority, with the active participation of private industries, shall organize and conduct annual Parks and Green Spaces Awards. The Authority, through the Secretariat, shall promulgate the necessary rules and guidelines for the effective and efficient conduct of Annual National Parks and Green Spaces Competition among the LGUs and for the country's participation in international park development competitions.

Sec. 27. Exemption from Taxes, Duties, Fees and Charges. — The Authority shall be exempt from the payment of taxes, fees and charges imposed by the National Government and its political subdivisions, agencies and instrumentalities regardless of the nature of its activity.

All donations in any form shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as amended.

Furthermore, importation of supplies and materials for the use of the Authority shall be exempt from customs duties.

Sec. 28. Commercial Operations of and inside of NALPA Parks. – The Authority shall be authorized to undertake commercial operations, the proceeds of which shall be credited to the NALPA Fund:

- a) The rental of dedicated areas for external events, functions and similar activities;
- b) The lease of dedicated areas for the erection and operation of commercial establishments inside NALPA Parks, which NALPA shall be allowed to award, through public bidding, and giving preference to nonprofit organizations of a nature related to or supportive of its mandate, for a term of up to five (5) years per contract;
- c) The production and/or licensing of official merchandise;
- d) The award of concession contracts when the Authority shall utilize concession contracts to authorize a person, corporation, or other entity to provide accommodations, facilities, and services to visitors or users of NALPA Parks.

Sec. 29. Contracted Services. – Then Authority is authorized to contract out services for Park Management and Safety and Security Services.

Chapter 5 – Miscellaneous Provisions

Sec. 30. NALPA Budget. – The amount necessary to finance the initial implementation of this Act shall be charged against the existing appropriations of the NPDC and the NPF, and shall be supported by funds coming from the Office of the President. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Sec. 31. Implementing Rules and Regulations. – Within 180 days from the effectivity of this Act, the Administrator shall submit to the Board the implementing rules and regulations of this Act upon prior consultation with all concerned groups and entities.

Sec. 32. Transitory Provisions. –

- a) Within two (2) months after the approval of this Act, the President shall, in consultation with the Secretary of Tourism appoint the private sector representatives of the Board.
- b) Within three (3) months after the appointment of the private sector representatives, the President shall, upon the recommendation of the Board, appoint the Administrator.
- c) Within four (4) months after the appointment of the Administrator, the Board shall convene to determine the organizational structure and staffing pattern of the Authority.
- d) Within one (1) year after the organization of the Authority, the Board shall commission an expert group on funding schemes for the NALPA Fund, as provided in Section 24, the results of which shall be used as the basis for appropriate action by the Board.

- e) Upon the effectivity of this Act, and prior to the appointment of the Board and the Administrator, the heads and personnel of both NPDC and the NPF shall continue to exercise their functions and duties, in holdover capacity, and shall ensure the smooth transition to the Board and the Administrator.
- f) All personnel of the NPDC and NPF are hereby deemed retired from service. Retirement and separation benefits shall be paid under existing rules and regulations.
- g) The Authority may on its discretion retain any personnel of NPDC and NPF it deems necessary to carry out its purpose and function.
- h) The ownership and title to the properties now actually occupied by the NPF and NPDC are hereby transferred in fee simple to the Authority, subject to the following conditions:
 - 1) The titles to the land conveyed by this Act shall not be transferred by the Authority to another person or entity without previous authorization by the President of the Philippines.
 - 2) The Authority is hereby authorized to mortgage any properties referred to above for the purpose of carrying out its objectives and purposes only; and
 - 3) In case the Authority is dissolved or ceases, for any reason, to undertake its objectives, or ceases to need any of the lands for any reason, said land shall *ipso facto* revert to the National Government without compensation.

Sec. 33. Automatic Review. — Every five (5) years, after the effectivity of this Act, an independent review panel composed of three (3) persons appointed by the President shall review the performance of the Authority and shall make recommendations, based on its findings to the President and to both Houses of Congress.

Sec. 34. Repealing Clause. – All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules or regulation inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Sec. 35. Separability Clause. – If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

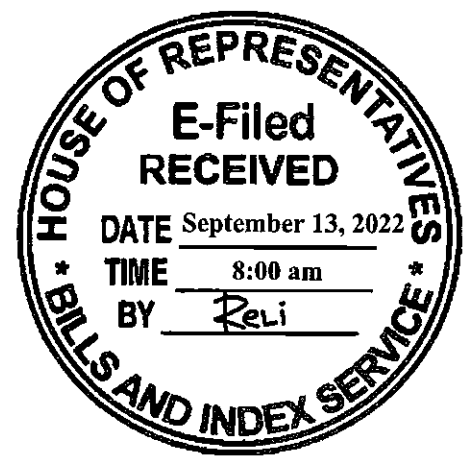
Sec. 36. Effectivity. – This Act shall take effect fifteen (15) days after the publication in the Official Gazette or in a newspaper of general circulation.

Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4732



Introduced by **HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.,
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY "HORI" G.
HORIBATA AND HON. NICOLAS "NICK" C. ENCISO VIII**

EXPLANATORY NOTE

"The fact that we live in a world that moves crisis by crisis does not make a growing interest in outdoor activities frivolous, or ample provision for them unworthy of the nation's concern."

—John F. Kennedy

What makes a place livable? The world's best places are vibrant and offer the best quality of life for their residents. Livability is critical to the establishment of a sustainable community. A strong component of a livable place is tied to physical amenities like parks, green spaces, playgrounds, and other similar infrastructure. Access to these areas has been associated with better perceived general health, reduced stress levels, reduced depression, and more.

Recreational spaces contribute to environmental benefits. A network of parks and open spaces that include protected natural lands, ecological reserves, wetlands, and other green areas is critical to providing healthy habitats for humans, wildlife, and plants in these densely built places. Natural landscapes are vital to preserving regional ecosystems amid growing cities.

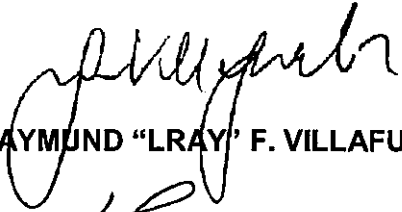
For a State that prioritizes the well-being of its people, it becomes imperative that it provides spaces that allow relaxation—spaces for social interactions and recreation. Recreational spaces such as parks fill the absence of green space and help improve air quality, especially for highly-urbanized cities, ultimately helping reduce carbon emission levels. They act as a buffer for noise pollution and improve climate and humidity levels while reducing the heat island effect or urban areas. It has also been said to improve the over-all health and well-being of people¹.

This bill proposes establishing and maintaining recreational spaces within cities and municipalities for public use. This includes preparing Comprehensive Land Use Plans and utilizing urban planning approaches that promote physical activity. We aim to produce recreational spaces that are not only attractive, but are accessible as well, especially for families and senior citizens. The plans should aim to enhance the over-all quality of life for the citizens of the city or municipality and not serve as mere value-adding property.

¹Sadeghian, M. & Vardanyan, Z (2013). The Benefits of Urban Parks, a Review of Urban Research. Journal of Novel Applied Sciences.

This bill also seeks to create an implementing body consisting of authorities tasked to oversee the development of recreational spaces and their corresponding comprehensive land use plans. Aside from aesthetics, this bill prioritizes function over the kinds of public parks, facilities, and open spaces to be developed. It examines the needs of the people it serves and what applies most to the demands of the city through consultations with the residents and relevant stakeholders.

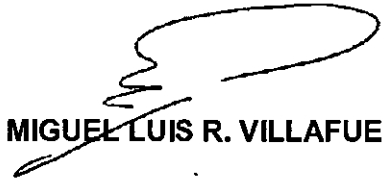
In view of the foregoing, the immediate passage of this bill is earnestly sought.



LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.



TSUYOSHI ANTHONY "HORI" G. HORIBATA



MIGUEL LUIS R. VILLAFUERTE



NICOLAS "NICK" C. ENCISO VIII

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. _____

Introduced by HON. LUIS RAYMUND "LRAY" F. VILLAFUERTE, JR.,
HON. MIGUEL LUIS R. VILLAFUERTE, HON. TSUYOSHI ANTHONY "HORI" G.
HORIBATA AND HON. NICOLAS "NICK" C. ENCISO VIII

**AN ACT ESTABLISHING PUBLIC RECREATIONAL SPACES IN ALL
CITIES AND MUNICIPALITIES IN THE COUNTRY AND ITS INTEGRATION IN
THEIR RESPECTIVE COMPREHENSIVE LAND USE PLANS**

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

SECTION 1. *Short Title.* — This act shall be known as the "*Recreation and Relaxation (R&R) Spaces Act*"

SECTION 2. *Declaration of Policy.* — It is the declared policy of the government to set in motion State policies and mandates in the 1987 Philippine Constitution, namely:

- a. The State shall protect and promote the right to health of the people and instill health consciousness among them.
- b. The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature.

Accordingly, the State shall establish recreational spaces within cities and municipalities in order to provide a livable environment and a sustainable community for the Filipino people.

SECTION 4. *Definition of Terms.* — For purposes of this Act, the following definitions shall apply to the following terms:

- a. **Comprehensive Land Use** — a document designed to guide the future actions of a community. It presents a vision for the future, with long-range goals and objectives for all activities that affect the local government.

- b. Open Space — any open piece of land that is undeveloped and is accessible to the public. Open space may include green space.
- c. Recreational Space — is public land developed for the provision of recreational facilities and outdoor or open-air recreational areas principally used for passive and/or active recreation.
- d. Recreational Facilities — various types of facilities primarily for recreation and relaxation that have public access (See Section 5).
- e. Recreation and Relaxation (R&R) Development Council — refers to the committee tasked with the formulation of the implementing rules and regulations of this Act.

SECTION 4. *Establishment of Recreational Spaces.* — Pursuant to the policy enunciated in Section 1 hereof, there is hereby established and maintained at least one (1) Recreational Space in every city and municipality in the country. Such Recreational Space shall be located in an Open Space as may be determined by the implementing agency in consultation with appropriate government agencies.

Such Recreational Space shall comprise of an area with Recreational Facilities as provided under Section 5 of this Act and as may be determined by the R&R Development Council hereafter designated in consultation with the appropriate government agencies.

In the event a city or municipality has an existing Recreational Space, the concerned local government unit (LGU) shall coordinate with the R&R Development Council within thirty (30) days upon approval of this Act, in order to ensure that such Recreational Space complies with the provisions of this Act.

SECTION 5. *Comprehensive Land Use Plan.* — All cities and municipalities shall prepare their respective comprehensive land use plans that shall be enacted through zoning ordinances. The Comprehensive Land Use Plan shall designate the general location and extent of the uses of land for the establishment of open spaces. Wherever possible, the land use element should consider utilizing urban planning approaches that promote physical activity. The plan must contain the following:

- a. A forecast of the future needs for recreational spaces and related facilities;

- b. An inventory of existing open spaces, public parks and other related facilities, showing the locations and capacities of the facilities;
- c. The proposed locations and capacities of expanded or new recreation spaces and open spaces;
- d. An allotment to maintain recreational spaces and facilities; and
- e. A provision that subjects comprehensive land use plans to a review every 5 years in order to include any update on urban planning and other related fields LGU urban planners and city or municipal engineers must consult with the R&R Development Council in developing their comprehensive land use plans. At least five (5) public hearings shall be conducted to determine the needs of the residents and stakeholders who will use and benefit from the Recreation Spaces.

In the event that a city or municipality has an existing Comprehensive Land Use Plan, the same shall be re-evaluated by the R&R Development Council.

SECTION 5. *Kinds of public parks, recreational facilities and open spaces.* —

Recreational Facilities refer to various types of facilities that have public access.

These facilities are classified but not limited into the following:

- a. Green Space - land that is partly or completely covered with grass, trees, shrubs, or other vegetation;
- b. Educational space - an area or physical setting conducive to learning;
- c. Parks - areas of natural or semi-natural space set aside for recreation and/or the protection of wildlife or natural habitats;
- d. Garden - a semi-natural area planned and developed for the cultivation of plants, and enjoyment of humans;
- e. Allotments — sites used for horticulture, often comprising of numerous plots rented out to members of the community;
- f. Sport Facilities — i.e. basketball, volleyball and badminton courts, leisure centers, swimming pools and other similar facilities;
- g. Community Halls — locations or areas where members of the community tend to gather for social activities;
- h. Cultural Facilities — i.e. libraries, museum, tourist attractions, and other similar facilities; and
- i. Playing Field — sites that are large enough to accommodate outdoor sports.

SECTION 6. *Implementing Rules and Regulations.* — Immediately after this Act takes effect, a committee tasked with the formulation of the implementing rules and regulations of this Act shall be created. The committee, hereby known as the "R&R Development Council", shall be composed of the following:

- a. The Secretary of the Department of Interior and Local Government, who shall also chair the committee;
- b. A representative from the Department of Public Works and Highways;
- c. A representative from the Department of Environment and National Resources;
- d. A professor from the University of the Philippines School of Urban and Regional Planning;
- e. A professor from the University of the Philippines College of Architecture;
- f. A representative from the Philippine Green Building Council;
- g. A representative from the National Parks Development Committee.

Within six (6) months after this Act takes effect the Committee shall submit the implementing rules and regulations.

SECTION 7. *Appropriation.* — The amount necessary to carry out the provisions of this Act shall be included in the annual General Appropriations Act.

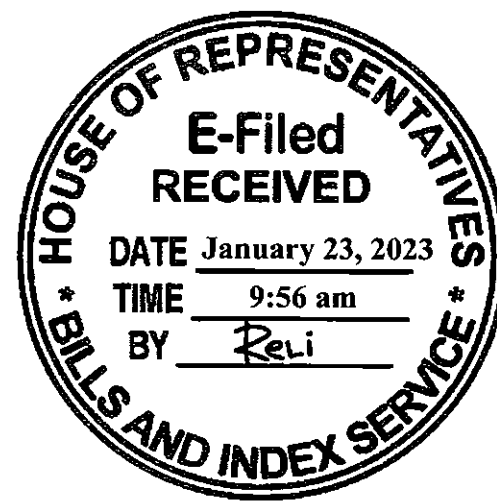
SECTION 8. *Separability Clause.* — If any portion or provision of this Act or the application thereof shall be declared invalid or unconstitutional, the validity of other parts or provisions not affected thereby shall continue to be in full force and effect.

SECTION 9. *Repealing Clause.* — All laws, decrees, executive issuances, rules and regulations inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 10. *Effectivity Clause.* — This Act shall take effect fifteen (15) days after its publication in at least two (2) newspaper of general circulation.

Approved,

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session



HOUSE BILL NO. 6809

Introduced by HON. GUS S. TAMBUNTING

**AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM,
AND APPROPRIATING FUNDS THEREFOR**

EXPLANATORY NOTE

Sec. 16, Art. II of the 1987 Constitution states that "The State shall protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature."

The 11th Sustainable Development Goal of the United Nations is to make cities and human settlements inclusive, safe, resilient, and sustainable.¹

The Philippines, however, lags behind developed countries. The concept of a park is not clearly defined and the allocation of public spaces in urban areas for such purpose, is unmandated on a national level.

This bill aims to establish the Philippine National Public Parks System which will conserve the scenery, and natural and historic objects, and to provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

This proposed measure shall also recognize that parks and open spaces contribute to human health and well-being, social cohesion/identity, tourism, biodiversity, air quality and carbon sequestration, water management, and cooling the environment.

On behalf of the people of Parañaque City's Second District, and for the common good of the Filipino people, the approval of the said measure is earnestly sought.


REP. GUS S. TAMBUNTING
2nd District, Parañaque City

¹ <https://sdgs.un.org/goals/goal11>

**Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City
NINETEENTH CONGRESS
First Regular Session**

HOUSE BILL NO. 6809

Introduced by HON. GUS S. TAMBUNTING

**AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM, AND
APPROPRIATING FUNDS THEREFOR**

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

Chapter 1 - Introductory Sections

Section 1. Short Title. — This Act shall be known as the "National Parks Act".

Sec. 2. Declaration of Policy. — It is the policy of the State to protect and maintain the health and well-being of the Filipino people, through the establishment and preservation of parks and open spaces. To this end, the State recognizes parks and open spaces as valuable assets, and as such:

- a) shall establish the Philippine National Public Parks System aimed to conserve the scenery, and natural and historic objects, and provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
- b) shall recognize that parks and open spaces contribute to human health and well-being, social cohesion/identity, tourism, biodiversity, air quality and carbon sequestration, water management, and cooling the environment.

Sec. 3. Definition of Terms. — As used in this Act, the following words shall mean:

- a) Administrator – refers to the Chief Executive Officer and Head of the National and Local Public Parks Authority (NALPA) Secretariat as defined in Sec. of this Act.
- b) Board – refers to the NALPA Board as defined in Sec. 5 of this Act.
- c) National and Local Public Parks refer to any land laid out as a public garden and/or used for the purpose of public recreation. This does not refer to national shrines administered by the Philippine Veterans Affairs Office.
- d) National and Local Public Parks System or the System – refers to the

system of parks and open spaces as defined under Chapter 4 of this Act.

e) NIPAS – refers to the National Integrated Protected Areas System as defined in Republic Act No. 7586, as amended, or the NIPAS Act.

f) NPDC – refers to the National Parks Development Committee created by Executive Order 30 series of 1963.

g) NPF or NPMI – refers to the Nayong Pilipino Foundation Inc., a government owned and controlled corporation registered with the Securities and Exchange Commission on May 7, 1969, as a non-stock, non-profit corporation. Presidential Decree No. 37 established the Nayong Pilipino Foundation on November 6, 1972.

h) Protected Areas – refers to the Protected Areas as defined under the NIPAS Act.

i) Secretariat – refers to the NALPA Secretariat as defined under Sec. 7 of this Act.

Chapter 2 – Establishment of the National and Local Public Parks Authority

Sec. 4. Composition of the Authority. — The Authority shall be composed of the Board and the Secretariat.

Sec. 5. Composition of the Board. — The NALPA Board shall be composed of the representatives of the following:

Secretary of Tourism : Chairperson

Secretary of Environment and Natural Resources: Co-Chairperson

[who shall be officially represented by the

Director of the Biodiversity Management Bureau]

Secretary of Public Works and Highways : Member

Secretary of the Agriculture : Member

Secretary of Interior and Local Government: Member

Chairperson of the Commission of Higher Education : Member

Director-General of the TESDA Secretariat : Member

In addition, the President of the Philippines shall appoint the following members from the private sector:

Two representatives, from a recognized professional architectural organization; and

Two representatives, from the academe, preferably in urban planning and development.

As soon as all the members of the private sector are appointed, they shall so organize themselves that the term of office of one-third (1/3) of their number shall expire every year. The member from the private sector appointed thereafter to fill vacancies caused by expiration of terms shall hold office for three (3) years.

The President of the Philippines may, however, revise the membership of the NALPA Board, whenever the President deems it necessary for the

effective performance of the Board's functions through an administrative order.

The NALPA Board shall meet at least twice a year, or as frequently as may be deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-Chairperson shall preside. The internal rules of the NALPA Board shall be promulgated during its first organizational meeting.

The benefits, privileges and emoluments of the Board shall be consistent with existing laws and rules.

Sec. 6. Powers and Functions of the Board. — The Authority shall primarily be responsible for the National and Local Public Parks System including the establishment of policies, plans and programs taking into consideration the following:

- a) the State policy declared herein of giving due consideration to the establishment and maintenance of national and urban parks, open and green spaces, and recreational facilities;
- b) the implementation of the above-mentioned policy requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of Philippine society; and
- c) equal and active participation of the national government and its appropriate agencies, the LGUs, the academe, and the private sector shall be made the rule in order to ensure that the National and Local Public Parks System shall be fully established and maintained.

The Board, shall have the following powers:

- a) Establish minimum quotas for all LGUs for the designation of municipal and city lands for public parks, where applicable.
- b) manage the country's National and Local Public Parks System, and in doing so shall guide and assist other government agencies and entities, and the LGUs in the planning, establishment, and management of parks that will be included in the System;
- c) promulgate, after due consultation with concerned groups and entities, policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act and the establishment of the National and Local Public Parks System;
- d) establish and manage the National and Local Public Parks Institute which shall serve as the national center for park administration, management, and maintenance training, research and development;
- e) in coordination with the Biodiversity Management Bureau, shall make Protected Areas accessible to the public for recreational purposes;
- f) organize and constitute standing committees, subsidiary groups, or technical working groups for the efficient integration and coordination of local open spaces and urban parks;
- g) exact reasonable fees and charges for such services provided and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the Authority;
- h) create, when deemed necessary, an Advisory Committee which shall

provide expert and technical advice to the Board to be chosen from the academe and the private sector: Provided, that in case the Advisory Committee is created, the Board is hereby authorized to set aside a portion of its appropriation for its operation; and

- i) carry out any and all other functions characteristic of public institutions of similar mandate and national scope, in line with prevailing international principles and best practices.

Sec. 7. The NALPA Secretariat. — The NALPA Secretariat, an independent agency of the executive department, shall have the primary mission of providing pro-active leadership in the continuous development of systematic approaches as well as measures to maintain and manage the National and Local Public Parks System, and shall have the following functions and responsibilities:

- a) to establish and maintain a planning process and formulate a national parks development plan in which all concerned groups and entities at various levels participate;
- b) to provide analytical inputs to policy decision-making of the Authority on allocation of resources and institutional roles and responsibilities as shall be embodied in the annual national parks plans;
- c) to recommend measures, and implement the same upon approval by the Authority, for the effective and efficient implementation of the national parks development plan;
- d) to propose to the Authority the specific allocation of resources for the programs and projects it shall undertake pursuant to approved national parks development plan;
- e) to submit to the Authority periodic reports on the progress and accomplishment of work programs of implementation of plans and policies; and
- f) to perform such other functions and duties as may be assigned by the Board.

Sec. 8. The Dissolution of NPDC and NFC and Transfer to NALPA Secretariat. — The NPDC and NFC are hereby dissolved and all their powers, functions, responsibilities, all applicable funds and appropriations, records, assets, and properties are hereby transferred to the NALPA Secretariat.

Sec. 9. The NALPA Administrator and Chief Executive Officer. — The NALPA Secretariat shall be headed by an Administrator, who shall likewise be a member of the Board. The Administrator shall be appointed by the President of the Philippines and shall enjoy the benefits, privileges and emoluments equivalent to the rank of Undersecretary.

As Chief Executive Officer of the Secretariat, the Administrator shall exercise general supervision and control over its technical and administrative personnel. The Administrator shall have the power to recommend to the Authority the structural organization and the personnel complement of the

Secretariat. Furthermore, Administrator shall appoint such personnel necessary to carry out the objectives, policies and functions of the Authority subject to Civil Service laws, rules and regulations.

The Administrator may call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the management and administration of any park in the System. This authority includes the power to call on the Philippine National Police to maintain peace and order in any park in the System.

The performance of the functions of the Administrator under this Act shall, in no case, result in the diminution of the powers of the LGUs to establish their own parks or develop their own open or green spaces.

Sec. 10. Deputy Administrators. — The Administrator shall be assisted by four (4) Deputy Administrators for: (i) Research and Development, (ii) National and Local Public Parks Operations, (iii) Local Public Parks Operations, and (iv) Park Architecture & Planning.

The Deputy Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of Assistant Secretary.

Sec. 11. Regional Administrators. — The Regional Administrators shall be under the direct control of the Administrator and shall oversee the operations of National and Local Public Parks at the regional level.

The Regional Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of a Regional Director, and shall provide technical assistance particularly to local government units for effective supervision, coordination, and monitoring of national and local parks within their localities, and their integration to the National Public Park System.

Sec. 12. Organizational Divisions. — The Secretariat shall have the following Divisions which shall be headed by Division Chiefs:

- a) Administrative Division
- b) Finance Division
- c) Programs and Public Affairs Division
- d) Internal Audit Division
- e) Security and Safety Division
- f) Information and Communications Technology Division
- g) Cultural & Heritage Preservation Division

The following Divisions shall be headed by the Deputies Administrators:

- a) National Public Park Operations & Management
- b) Local Public Park Operations & Management
- c) Research & Development
- d) Park Architecture & Planning

Sec. 13. Personnel Training, Development and Performance Incentives. — The Authority shall undertake training and development

programs to upgrade the capabilities of its personnel in its various functions. Personnel shall be allowed to train or study outside the Institute, in the Philippines or abroad, on official time, subject to the needs of the service, upon approval of the Administrator.

A system of monetary incentives shall be established to reward the superior performance and milestones of professional development on the part of management and administrative and technical personnel, subject to approval of the Department of Budget and Management and, where applicable, to the Civil Service Commission.

Sec. 14. Consultants and Technical Assistance, Publication and Research. — In pursuing its objectives, the Authority is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, and private organizations for research work and publication in the field of national and urban parks, and open and green spaces. It shall avail itself of the services of other agencies of the Government as may be required.

Sec. 15. Privileges of the Authority. — In line with the declared policy and the avowed purposes of this Act, and to ensure its independence and autonomy, the NALPA Secretariat shall be attached solely for budgetary coordination and related purposes to the Office of the President. The Secretariat shall:

- a) be classified as a National Government Agency, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government to cover appropriately the entirety of its mandated operations and activities;
- b) be considered as higher in level than a Bureau or Bureau-level agency but beneath that of a Department or Department-level agency, primarily for administrative purposes as to staffing pattern and compensation scales; and
- b) enjoy such privileges and special rules characteristic of both a Government-Owned or -Controlled Corporation and a State University or College wherever possible and which, in any and all cases, promote the objectives of this Act; and that special rule as may be necessary to this effect be formulated and appropriately promulgated by the NALPA, the Department of Budget and Management, the Commission on Audit, and other concerned agencies.

Chapter 3 – The National Parks Institute

Sec. 16. The Creation of the National Parks Institute. — There is hereby created the National Parks Institute of the Philippines which shall be under the supervision of the Board. The Institute shall serve as the training and development arm of Authority. The Institute shall be headed by a Director. In coordination with CHED and state universities and colleges, and

other private universities and institutions, the Institute shall establish a unique training course aimed at supporting the purposes of this Act, and shall:

- a) formulate and implement training programs for all personnel of NALPA, and of LGUs, and other agencies, and private entities and institutions who wish to train with the Institute;
- b) formulate and implement select mandatory and specialized courses, and for that purpose shall be allowed to issue diplomas and technical certificates under such rules as will be coordinated with CHED and TESDA;
- c) develop and implement research and development to support NALPA and for educational training programs; and
- d) perform such other related functions as may be prescribed by NALPA and the Board.

Chapter 4 – The National Parks System

Sec. 17. Study and Planning of National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities. — Within 3 years from the effectivity of this Act, the Authority shall make a comprehensive study of the National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities programs of the national government and the LGUs and of areas of land throughout the Philippines that are or may be chiefly valuable as National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities. The report shall be submitted to the Board who shall be empowered to declare specifically identified areas as either National Parks, Urban Parks, Open Spaces, or Recreational-Area Facilities.

Sec. 18. Identification of National Parks. — Notwithstanding any law or proclamation to the contrary, the following parks are hereby considered National Parks and shall be under the authority of the Authority: (1) the Rizal Park, and the (2) the Paco Park.

The Administrator, and its Provincial Administrators, are strictly mandated to investigate, study, and continually monitor areas whose over-all circumstances exhibit qualities of national significance and that may have potential to become a NALPA Park.

Sec. 19. Acquisition of Land. – In the exercise of its power under this Act, the Authority through the Administrator shall have the power to acquire land and interests in land within the boundary of any NALPA Park. In the same manner and for the establishment of an identified National Park, the power of eminent domain shall be exercised through the Administrator, or by any of its Deputies or Provincial Administrators.

Sec. 20. Creation of Urban Parks and Open Spaces in LGUs. – Within the period provided by the Authority, LGUs shall be obliged to identify Urban

Parks and Open Spaces within their jurisdictions.

Identified areas may either become NALPA Administered Parks or maintain their nature as Local Parks at the discretion of the LGU.

The Authority is hereby mandated to enter into cooperative agreements with colleges and universities, in partnership with LGUs and other agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources in the NALPA Parks, or the LGU of which the NALPA Park is located for possible commercial production or utilization.

Sec. 21. Delineation of Authority and Coverage. - Subject to the IRR and dependent on the categorization of the land or an area, a nature reserve or a declared protected area under the NIPAS shall continue to be under the jurisdiction of the DENR. All other parks established or may be established may be covered under this Act.

Sec. 22. Administration, Management, and Funding of NALPA Parks. – Subject to reasonable restrictions under the IRR, the general public are hereby to be granted free admission to all NALPA Parks. However, the Authority may levy appropriate fees to special activities or programs.

Sec. 23. Retention of Income. – The Authority is hereby authorized to retain the entirety of its income from all sources of its operations nationwide, and to spend the same for any purpose.

Sec. 24. The NALPA Fund. – The NALPA Fund is hereby established, to be managed/administered by the Authority, the income from which shall be utilized exclusively in awarding of grants and providing assistance to park development programs, local government units for upgrading their capabilities, and to develop and implement training and training-related activities for park development. The contribution to the fund shall be the following:

- a) a one-time lump sum appropriation from the National Government in the amount of P100,000,000.0;
- b) donations, grants, endowments, and other bequests or gifts of which the Authority is hereby authorized to accept, and
- c) any other income generated by the Authority.

The Authority shall be the administrator of the fund, and as such, shall formulate the necessary implementing guidelines for the management of the fund, subject to the following: a) unless otherwise stipulated by the private donor, only earnings of private contributions shall be used; and b) no part of the seed capital of the fund, including earnings, thereof, shall be used to underwrite expenses for administration.

The Board shall appoint a reputable government-accredited investment institution as fund manager, subject to guidelines promulgated by the Board.

Sec. 25. Incentives Schemes. — The Authority shall develop and administer appropriate incentives schemes to encourage the LGUs and private industries and institutions to participate in the development of the National Parks System.

Sec. 26. Parks and Green Spaces Awards. — To promote parks development in the country and with the view of participating in international park development competitions, the Authority, with the active participation of private industries, shall organize and conduct annual Parks and Green Spaces Awards. The Authority, through the Secretariat, shall promulgate the necessary rules and guidelines for the effective and efficient conduct of Annual National Parks and Green Spaces Competition among the LGUs and for the country's participation in international park development competitions.

Sec. 27. Exemption from Taxes, Duties, Fees and Charges. — The Authority shall be exempt from the payment of taxes, fees and charges imposed by the National Government and its political subdivisions, agencies and instrumentalities regardless of the nature of its activity. All donations in any form shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as amended. Furthermore, importation of supplies and materials for the use of the Authority shall be exempt from customs duties.

Sec. 28. Commercial Operations of and inside of NALPA Parks. — The Authority shall be authorized to undertake commercial operations, the proceeds of which shall be credited to the NALPA Fund:

- a) The rental of dedicated areas for external events, functions and similar activities;
- b) The lease of dedicated areas for the erection and operation of commercial establishments inside NALPA Parks, which NALPA shall be allowed to award, through public bidding, and giving preference to nonprofit organizations of a nature related to or supportive of its mandate, for a term of up to five (5) years per contract;
- c) The production and/or licensing of official merchandise;
- d) The award of concession contracts when the Authority shall utilize concession contracts to authorize a person, corporation, or other entity to provide accommodations, facilities, and services to visitors or users of NALPA Parks.

Sec. 29. Contracted Services. — Then Authority is authorized to contract out services for Park Management and Safety and Security Services.

Chapter 5 – Miscellaneous Provisions

Sec. 30. NALPA Budget. – The amount necessary to finance the initial implementation of this Act shall be charged against the existing appropriations of the NPDC and the NPF, and shall be supported by funds coming from the Office of the President. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Sec. 31. Implementing Rules and Regulations. – Within 180 days from the effectivity of this Act, the Administrator shall submit to the Board the implementing rules and regulations of this Act upon prior consultation with all concerned groups and entities.

Sec. 32. Transitory Provisions. –

- a) Within two (2) months after the approval of this Act, the President shall, in consultation with the Secretary of Tourism appoint the private sector representatives of the Board.
- b) Within three (3) months after the appointment of the private sector representatives, the President shall, upon the recommendation of the Board, appoint the Administrator.
- c) Within four (4) months after the appointment of the Administrator, the Board shall convene to determine the organizational structure and staffing pattern of the Authority.
- d) Within one (1) year after the organization of the Authority, the Board shall commission an expert group on funding schemes for the NALPA Fund, as provided in Section 24, the results of which shall be used as the basis for appropriate action by the Board.
- e) Upon the effectivity of this Act, and prior to the appointment of the Board and the Administrator, the heads and personnel of both NPDC and the NPF shall continue to exercise their functions and duties, in holdover capacity, and shall ensure the smooth transition to the Board and the Administrator.
- f) All personnel of the NPDC and NPF are hereby deemed retired from service. Retirement and separation benefits shall be paid under existing rules and regulations.
- g) The Authority may on its discretion retain any personnel of NPDC and NPF it deems necessary to carry out its purpose and function.
- h) The ownership and title to the properties now actually occupied by the NPF and NPDC are hereby transferred in fee simple to the Authority, subject to the following conditions:
 - 1) The titles to the land conveyed by this Act shall not be transferred by the Authority to another person or entity without previous authorization by the President of the Philippines.
 - 2) The Authority is hereby authorized to mortgage any properties referred to above for the purpose of carrying out its objectives and

purposes only; and

3) In case the Authority is dissolved or ceases, for any reason, to undertake its objectives, or ceases to need any of the lands for any reason, said land shall ipso facto revert to the National Government without compensation.

Sec. 33. Automatic Review. — Every five (5) years, after the effectivity of this Act, an independent review panel composed of three (3) persons appointed by the President shall review the performance of the Authority and shall make recommendations, based on its findings to the President and to both Houses of Congress.

Sec. 34. Repealing Clause. — All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules or regulation inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

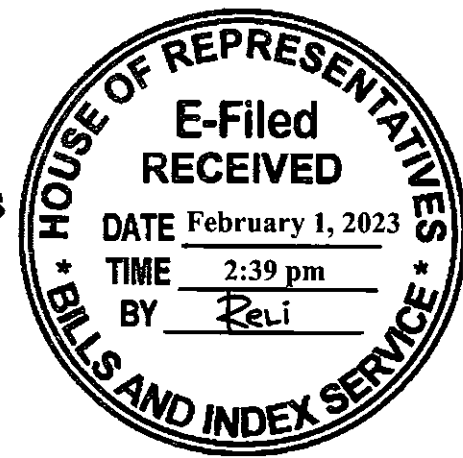
Sec. 35. Separability Clause. — If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

Sec. 36. Effectivity. — This Act shall take effect fifteen (15) days after the publication in the Official Gazette or in a newspaper of general circulation.
Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 7039



Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

EXPLANATORY NOTE

Public parks in a city is of unparalleled necessity and even more so in a country like the Philippines. Where majority of our citizens have to live with an uptight budget and inability to afford a high-end lifestyle, the availability of free recreational facilities is, to say the least, paramount for people to live a simple yet happy life.

Public parks serve as a favorable venue for people, especially the indigents, to enjoy recreational activities. Students may utilize available free spaces for their extracurricular activities like dance or drama practices. Our elders will have a reason to wake up early in the morning to do some walking exercises. These parks can serve as a place where all individuals from different walks of life to meet, socialize, play, or just to have fun. It can also be a favorable place to rest, ponder, or express one's artistic side. Public parks may also serve as a venue to assemble people for important social, commercial, and political events.

Since public parks are meant for all - rich and poor, children and adults, men and women alike - without any distinction or discrimination, it fosters a democratic influence and somehow promotes equality.

Furthermore, when people of the same interests, hobbies or talents converge in one place, a sense of belonging is immediately created and more likely than not, these formed groups will lead to the further betterment of each other's craft. In other words, a public park may encourage the unison of random people sharing the same

passion. In effect, public parks afford people a great opportunity to cultivate talents, friendship and harmony in the society.

Ours is a nation with people whose primary objective is to survive each day and ensure that there is food on their plate. Therefore, our people barely have enough time and reason to relax, enjoy, and do other things that can in fact help them develop their full potential.

We may not realize it but encouraging our hardworking people to spend some time alone or with their families even for just a couple of hours in a week to do whatever they enjoy will help them develop a sense of balance in life. Aside from this, allowing them to gather and socialize or to express and hone their hobbies or talents, undeniably leads to their individual development and well-roundedness.

Having citizens who are well-rested, content, fulfilled, and with a high sense of self-worth inevitably contributes to the nation's development as a whole. Public parks, no matter how indirectly, provides a venue for this ideal goal.

Nonetheless, this very significant potential role of public parks in the promotion of social and national development will be defeated if these parks are not easily accessible to the public. Hence, equally vital and important is the presence of nearby and easily accessible public parks.

This is where the importance of establishing at least one public park in every city comes into play and it is for this reason that the approval of this bill is strongly recommended.


EDWIN L. OLIVAREZ

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session

House Bill No. 7039

Introduced by: **REPRESENTATIVE EDWIN L. OLIVAREZ**

AN ACT PROVIDING AT LEAST ONE PUBLIC PARK IN EVERY CITY

SECTION 1. *Short Title.* This Act shall be known as the "City Park Act of 2023."

SECTION 2. *Declaration of Policy.* It is the policy of the State to provide the public an accessible venue or forum where they can enjoy, gather, socialize and do other recreational activities that will foster individual development, friendship, and group harmony amongst one another.

SECTION 3. *Establishment of One Park in Each City.* Every city government is hereby mandated to provide and maintain a secured and safe leisure park accessible to the public for free.

Each city park shall be open to the public for at least eight (8) hours a day, seven days a week, but in no case shall be accessible to the public beyond twelve o'clock (12:00) midnight.

SITE REQUIREMENTS

SECTION 4. *Ocular inspection and Site Visit.* Before selecting or acquiring a site where the public city park shall be erected, the City Mayor and City Engineering

Office shall conduct an ocular inspection thereof and ensure that, as much as practicable, the potential park site is located on the central part or heart of the city.

The park site shall be selected and evaluated in accordance with the regulations prescribed by the DPWH and plans therefor shall be approved by the same.

SECTION 5. *Site and Plans to de Approved by the DPWH.* A building shall not be acquired or erected for use as a public park until the site is selected and evaluated in accordance with the regulations prescribed by the Department of Public Works and Highways (DPWH) and the plans therefor are approved by the same.

OFFICIAL PLAN

SECTION 6. *Official Plan Must Be Certified.* For the purposes of this Section, "official plan" means a plan that is certified by the Regional Director of the DPWH to be as such.

SECTION 7. *Copies of the Official Plan.* The official plan shall be submitted to the DPWH. One (1) copy thereof shall be deposited in the Office of the City Mayor, and another shall always be kept in the Administration Office of the public city park.

SECTION 8. *Public inspection.* Copies of official plans must be available for public inspection during regular business hours and any person may obtain a copy of an official plan on payment of a fee prescribed by the local government unit or the administration committee maintaining the public park.

SECTION 9. *Eminent Domain.* For the purpose of erecting, developing, widening or relocating the city park as the case may be, any private lands, properties, highways and/or roads may be acquired by the local government unit concerned for the purpose of doing all work necessary to the functional operation of the city park, provided that due compensation shall be made to the owners thereof.

SECTION 10. *Widening and/or Relocating the City Park.* The local government unit may widen, relocate, or otherwise alter the boundaries of the city park upon a reasonable finding that the same is necessary either due to overcrowdedness (for widening) or due to the increasing crime rate in the area (for relocation) or for whatever ground or basis the local government unit deems reasonable and proper.

UTILITIES

SECTION 11. *Widening and/or Relocating the City Park.* The Sanggunian of a city may enter into an agreement with any municipality or person, natural or juridical, owning or operating a waterworks system for the supply of water for the city public park.

SECTION 12. *Sewerage System.* The Sanggunian of a city may enter into an agreement with a private entity (i.e. corporation) or with any city or municipality for connecting the city public park with the sewerage system of such city or municipality.

SECTION 13. *Electricity.* The Sanggunian of a city may enter into an agreement with any person for the supply of electricity for light, heat or power purposes at the city public park.

FACILITIES

SECTION 14. *Playground and/or Children-Friendly Facilities.* The city public park must have a portion where a playground or any child-friendly facility is to be erected for the use of toddlers and children. These facilities shall likewise be open to the public free of charge.

SECTION 15. *Environmental-Friendly Facilities.* The city public park must as much as practicable, adopt and/or use environmental-friendly facilities, equipment and/or system in the operation of the said public park.

SECTION 16. *Garbage Disposal.* The respective administration offices of the city parks must adopt and implement a garbage segregation scheme that must be maintained at all times.

STAFFING

SECTION 17. *Administration Committee.* The city mayor shall appoint members of the City Park Administration Committee who shall manage the operation of the city public park. The City Park Administration Committee shall consist of five (5) members;

SECTION 18. *Executive Director.* The Administration Committee shall elect from among its members an Executive Director of the city park who shall act as its chairman who shall be responsible for the general supervision and management of the city park, and shall have the power to prescribe regulations for observance by the public subject to the approval of the Administration Committee.

SECTION 19. *Park Officers.* The Administration Committee may hire as many park officers as it deems necessary to ensure that the rules and policies of the public park are being maintained or followed. These park officers shall assist the public visiting the city park and shall handle their needs, inquiries and/or immediate grievances. These park officers shall be delegated or assigned post in strategic stations within the premises of the park. They shall likewise performs other functions as may be delegated by the Administration Committee.

The number of park officers that may be hired by the Administration Committee shall depend on the area size of the park and the number of people who regularly visit the same.

SECTION 20. *Administrative Staff.* The Administration Committee may hire as many administrative staff or personnel as it deems necessary for the efficient operation of the public park who shall be responsible for the paper works of the Administration Office. The Committee may delegate additional clerical tasks to the

administrative staff which should always be necessary and desirable for the operation of the public park.

SECTION 21. *Maintenance and Utility.* The Administration Committee may hire as many maintenance and utility personnel as it deems necessary for the upkeep and cleanliness of the public park.

SECTION 22. *Security.* The Administration Committee may hire as many watchmen as it deems necessary for the effective guarding of the public park day and night. Provided that at least one (1) guard per work shift shall be assigned or posted at the entrance gate of the public park and at least one (1) guard per work shift shall be designated as a roving guard who shall maintain the peace and order within its premises and shall ensure the safety of the visiting public.

LEASE PERMITS

SECTION 23. *Grant of Building Lease within the Premises of the Park.* The Executive Director may, in his discretion and with the approval of the Administration Committee, grant leases for buildings for terms not exceeding ten (10) years in said park for the accommodation of the visiting public;

SECTION 24. *Grant of Other Commercial Leases.* The Executive Director may grant a permit authorizing a person or organization to sell merchandise, to advertise, or to otherwise engage in service-type of business within the premises of the public park for a reasonable fee. Provided that the merchandise, advertisement, or service to be provided to the public within the premises of the park are of wholesome nature and are suitable or safe for the visiting children to see or witness.

CHARGES ALLOWED AGAINST THE VISITING PUBLIC

SECTION 25. *Prohibition Against Collection of Entrance Fees.* No entrance fee shall be charged against or collected from any person before he or she can be allowed access to the park.

SECTION 26. *Allowed Fees and Charges.* With the prior approval of the Administration Committee, the Executive Director may make regulations prescribing a fee, rate, or charge payable by the visitors of the said park for the following:

- a. The exclusive use of a portion of the park.
- b. The holding of a private event in any portion of the park.
- c. Penalties and fines to be prescribed by the Executive Director for violation of any regulation being implemented within the premises of the park, provided that these regulations are made available and known to the public upon entering the public park.

In light of this, the Administration Committee may post the said rules and regulations in a bulletin board placed in conspicuous places in the park or it may opt to distribute printed handouts to every visitor thereof.

However, an offending visitor must be given a first warning by any park officer or security personnel of the public park. A second attempt of disobedience or defiance, whether intentional or not, shall entail the imposition of the respective penalty and/or fine.

PROHIBITIONS

SECTION 27. *Sleeping.* No person shall enter or be allowed to enter the public park after the operating hours of the same. In addition, sleeping in the premises of the park after its operating hours shall likewise be prohibited.

SECTION 28. *Squatting and/or any Private Construction.* No person shall be allowed to establish a make-shift dwelling within the premises of the public park.

A person must not construct, install, erect or place any structure, improvement or work of any nature in the said park except as otherwise authorized under this Act by virtue of a valid permit issued by the Executive Director.

SECTION 29. *Dumping.* Transporting or depositing any garbage, refuse, domestic and/or industrial waste in any park is prohibited.

RIGHTS

SECTION 30. *Rights and interest Vested in the Government.* As a general rule, every right, title, and interest in any structure, improvement or installation in the public park belongs to the local government unit except as otherwise provided by a park use permit or resource use permit.

SECTION 31. *No Private Rights Except by Permit.* A person or party must not be permitted to acquire any property right in the city park except under a valid permit as s issued by the Executive Director and as provided for in this Act.

OFFENSES AND PENALTIES

SECTION 32. *General Penalty.* A person who contravenes any provision of this Act is liable to a fine of up to P10,000.00 or a term of imprisonment of not more than one (1) year or both at the discretion of the court.

SECTION 33. *Continuing offense.* When a contravention of this Act or the regulations prescribed by the Executive Director continues for more than one (1) day, the person is guilty of a separate offence for each day on which the contravention continues.

FINAL PROVISIONS

SECTION 34. *Implementing Rules and Regulations.* The DPWH, in coordination with the DILG and local government units, shall promulgate the implementing rules and regulations for the effective and immediate implementation of this Act.

SECTION 35. *Repealing Clause.* All laws, decrees, executive orders, letters of instructions, rules and regulations or parts thereof, which are inconsistent with this this Act are hereby repealed, amended or modified accordingly.

SECTION 36. *Separability Clause.* If any provision of this Act is judicially declared invalid or unconstitutional, the remaining provisions of this Act not affected thereby shall be continue to be in full force and effect.

SECTION 37. *Effectivity Clause.* This Act shall take effect fifteen (15) days following its publication in two (2) newspapers of general circulation.

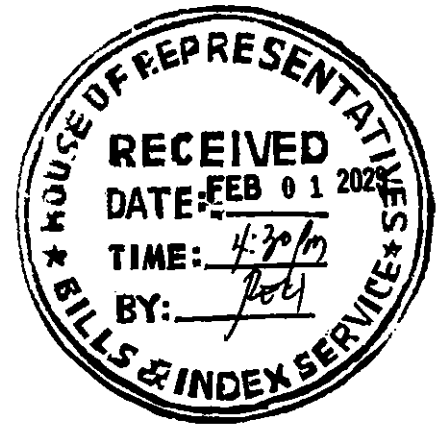
Approved.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 7046



Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

EXPLANATORY NOTE

The United Nations has identified public parks as an integral to the attainment of its Sustainable Development Goals, which is the creation and maintenance of Sustainable Cities and Communities. For this reason, developed countries around the world have incorporated public parks in the habitats of their citizens. This representation seeks to make the Philippines compliant with the aforesaid United Nations mandate thru the approval of the proposed law herein that will create a national parks system.

The proposed law will establish the National And Local Parks Authority (NALPA), which will act as the office that has the primary jurisdiction over the creation, development, and maintenance of public parks. This representation believes that a organic and systemic parks system will contribute to increasing the quality of life of Filipinos.

It should be also be noted that public open spaces are crucial in reducing stress and mental disorders of people. Public parks diminish health inequalities and increase perception of life quality and self-reported general health. Public parks also provide arenas and opportunities for physical activity, increased social interactions and different modes of recreation. It can also be seen in developed countries that cities and towns become more attractive when it has numerous public parks. As such, public parts are made part tourism plans of developed nations.

For the Filipino people, approval of the bill herein is earnestly being sought.

A handwritten signature in black ink, appearing to be the signature of Aniel Bianca D. Tolentino.

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 7046

Introduced by the **Honorable ANIELA BIANCA D. TOLENTINO**

**AN ACT ESTABLISHING THE PHILIPPINE NATIONAL PUBLIC PARKS SYSTEM,
AND APPROPRIATING FUNDS THEREFOR**

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

Chapter 1 - Introductory Sections

Section 1. *Short Title.* — This Act shall be known as the "National Parks Act of 2023".

Section 2. *Declaration of Policy.* — It is the policy of the State to protect and maintain the health and well-being of the Filipino people, through the establishment and preservation of parks and open spaces. Towards this end, the State recognizes parks and open spaces as valuable assets, and as such mandates:

- a) the establishment of the Philippine National Public Parks System aimed to conserve the scenery, natural and historic objects, and to provide for their enjoyment in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.
- b) the recognition that parks and open spaces contribute to human health and wellbeing, social cohesion / identity, tourism, biodiversity, air quality and carbon sequestration, water management, and cooling the environment.

Section 3. *Definition of Terms.* As used in this Act, the following words shall mean:

- a) Administrator – refers to the Chief Executive Officer and Head of the National and Local Public Parks Authority (NALPA) Secretariat as defined in Sec. of this Act.
- b) Board – refers to the NALPA Board as defined in Sec. 5 of this Act. National and Local Public Parks refer to any land laid out as a public garden and/or used for the purpose of public recreation. This does not refer to national shrines administered by the Philippine Veterans Affairs Office.
- c) National and Local Public Parks System or the System - refers to the system of parks and open spaces as defined under Chapter 4 of this Act.
- d) NIPAS- refers to the National Integrated Protected Areas System as defined in Republic Act No. 7586, as amended, or the NIPAS Act.
- e) NPDC - refers to the National Parks Development Committee created by Executive Order 30 series of 1963.
- f) NPF or NPMFI - refers to the Nayong Pilipino Foundation Inc., a government owned and controlled corporation registered with the Securities and Exchange Commission on May 7, 1969, as a non-stock, non-profit corporation. Presidential Decree No. 37 established the Nayong Pilipino Foundation on November 6, 1972.
- g) Protected Areas - refers to the Protected Areas as defined under the NIPAS Act.
- h) Secretariat- refers to the NALPA Secretariat as defined under Sec. 7 of this Act.

Chapter 2 - Establishment of the National and Local Public Parks Authority

Section 4. *Creation of the National and Local Public Parks Authority.* — There is hereby created the National and Local Parks Authority hereinafter referred to as the "Authority". The Authority shall primarily be responsible for the National and Local Public Parks System including the establishment of policies, plans and programs taking into consideration the following:

- a) the State policy declared herein of giving due consideration to the establishment and maintenance of national and urban parks, open and green spaces, and recreational facilities;
- b) the implementation of the above-mentioned policy requires the coordination and cooperation of policies, plans, and programs of different concerned sectors of Philippine society; and
- c) equal and active participation of the national government and its appropriate agencies, the LGUs, the academe, and the private sector shall be made the rule in order to ensure that the National and Local Public Parks System shall be fully established and maintained.

Section 5. *Governing Board of the National and Local Parks Authority.* - In the exercise of its powers and functions, the Authority shall be governed by a Board to be composed of the following:

- a) Secretary of Tourism: Chairperson
- b) Secretary of Environment and Natural Resources: Co-Chairperson (who shall be officially represented by the Director of the Biodiversity Management Bureau)
- c) Secretary of Public Works and Highways: Member
- d) Secretary of the Agriculture Secretary of Interior and Local Government: Member
- e) Chairperson of the Commission of Higher Education: Member
- f) Director-General of the TESDA Secretariat: Member

In addition, the President of the Philippines shall appoint the following members from the private sector: two representatives, from a recognized professional architectural organization; and two representatives, from the academe, preferably in urban planning and development.

As soon as all the members of the private sector are appointed, they shall so organize themselves that the term of office of one-third (1/3) of their number shall expire every year. The member from the private sector appointed thereafter to fill vacancies caused by expiration of terms shall hold office for three (3) years.

The President of the Philippines may, however, revise the membership of the NALPA Board, whenever the President deems it necessary for the effective performance of the Board's functions through an administrative order.

The NALPA Board shall meet at least twice a year, or as frequently as may be deemed necessary by its Chairperson. In the absence of the Chairperson, a Co-Chairperson shall preside. The internal rules of the NALPA Board shall be promulgated during its first organizational meeting.

In the exercise of its functions, the NALPA Board shall be assisted by the NALPA Secretariat as provided for in Section 7 of this Act.

The benefits, privileges and emoluments of the Board shall be consistent with existing laws and rules.

Section 6. *Powers and Functions of the Board.* The Board, shall have the following powers:

- a) Establish minimum quotas for all LCDs for the designation of municipal and city lands for public parks, where applicable.
- b) manage the country's National and Local Public Parks System, and in doing so shall guide and assist other government agencies and entities, and the LCDs in the planning, establishment, and management of parks that will be included in the System;
- c) promulgate, after due consultation with concerned groups and entities, policies, plans, programs and guidelines as may be necessary for the effective implementation of this Act and the establishment of the National and Local Public Parks System;
- d) establish and manage the National and Local Public Parks Institute which shall serve as the national center for park administration, management, and maintenance training, research and development;
- e) in coordination with the Biodiversity Management Bureau, shall make Protected Areas accessible to the public for recreational purposes;
- f) organize and constitute standing committees, subsidiary groups, or technical working groups for the efficient integration and coordination of local open spaces and urban parks;
- g) exact reasonable fees and charges for such services provided and trainings conducted and retain such earnings for its own use, subject to guidelines promulgated by the Authority;
- h) create, when deemed necessary, an Advisory Committee which shall provide expert and technical advice to the Board to be chosen from the academe and the private sector: Provided, that in case the Advisory Committee is created, the Board is hereby authorized to set aside a portion of its appropriation for its operation; and
- i) carry out any and all other functions characteristic of public institutions of similar mandate and national scope, in line with prevailing international principles and best practices.

Section 7. *The NALPA Secretariat*— The NALPA Secretariat, an independent agency of the executive department, shall have the primary mission of providing proactive leadership in the continuous development of systematic approaches as well as measures to maintain and manage the National and Local Public Parks System, and shall have the following functions and responsibilities:

- a) to establish and maintain a planning process and formulate a national parks development plan in which all concerned groups and entities at various levels participate;
- b) to provide analytical inputs to policy decision-making of the Authority on allocation of resources and institutional roles and responsibilities as shall be embodied in the annual national parks plans;
- c) to recommend measures, and implement the same upon approval by the Authority, for the effective and efficient implementation of the national parks development plan;
- d) to propose to the Authority the specific allocation of resources for the programs and projects it shall undertake pursuant to approved national parks development plan;
- e) to submit to the Authority periodic reports on the progress and accomplishment of work programs of implementation of plans and policies; and
- f) to perform such other functions and duties as may be assigned by the Board.

Section 8. *The NALPA Administrator and Chief Executive Officer.* — The NALPA Secretariat shall be headed by an Administrator, who shall likewise be a member of the Board. The Administrator shall be appointed by the President of the Philippines and shall enjoy the benefits, privileges and emoluments equivalent to the rank of Undersecretary.

As Chief Executive Officer of the Secretariat, the Administrator shall exercise general supervision and control over its technical and administrative personnel. The Administrator shall have the power to recommend to the Authority the structural organization and the personnel complement of the Secretariat. Furthermore, Administrator shall appoint such personnel necessary to carry out the objectives, policies and functions of the Authority subject to Civil Service laws, rules and regulations.

The Administrator may call upon other instrumentalities or entities of the government and nongovernment and civic organizations for assistance in terms of the use of their facilities and resources for the management and administration of any park in the System. This authority includes the power to call on the Philippine National Police to maintain peace and order in any park in the System.

The performance of the functions of the Administrator under this Act shall, in no case, result in the diminution of the powers of the LGUs to establish their own parks or develop their own open or green spaces.

Section 9. Deputy Administrators. - The Administrator shall be assisted by four (4) Deputy Administrators for: (i) Research and Development, (ii) National and Local Public Parks Operations, (iii) Local Public Parks Operations, and Park Architecture & Planning.

The Deputy Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of Assistant Secretary.

Section 10. Regional Administrators. - The Regional Administrators shall be under the direct control of the Administrator and shall oversee the operations of National and Local Public Parks at the regional level.

The Regional Administrators shall enjoy the benefits, privileges and emoluments equivalent to the rank of a Regional Director, and shall provide technical assistance particularly to local government units for effective supervision, coordination, and monitoring of national and local parks within their localities, and their integration to the National Public Park System.

Section 11. Organizational Divisions. -The Secretariat shall have the following Divisions which shall be headed by Division Chiefs:

- a) Administrative Division
- b) Finance Division
- c) Programs and Public Affairs Division
- d) Internal Audit Division
- e) Security and Safety Division
- f) Information and Communications Technology Division
- g) Cultural & Heritage Preservation Division

The following Divisions shall be headed by the Deputies Administrators:

- a) National Public Park Operations & Management
- b) Local Public Park Operations & Management
- c) Research & Development
- d) Park Architecture & Planning

Section 12. Personnel Training, Development and Performance Incentives. - The Authority shall undertake training and development programs to upgrade the capabilities of its personnel in its various functions. Personnel shall be allowed to train or

study outside the Institute, in the Philippines or abroad, on official time, subject to the needs of the service, upon approval of the Administrator.

A system of monetary incentives shall be established to reward the superior performance and milestones of professional development on the part of management and administrative and technical personnel, subject to approval of the Department of Budget and Management and, where applicable, to the Civil Service Commission.

Section 13. *Consultants and Technical Assistance, Publication and Research.* -

In pursuing its objectives, the Authority is hereby authorized to set aside a portion of its appropriation for the hiring of services of qualified consultants, and private organizations for research work and publication in the field of national and urban parks, and open and green spaces. It shall avail itself of the services of other agencies of the Government as may be required.

Section 14. *Privileges of the Authority.* - In line with the declared policy and the avowed purposes of this Act, and to ensure its independence and autonomy, the NALPA Secretariat shall be attached solely for budgetary coordination and related purposes to the Office of the President. The Secretariat shall:

- a) be classified as a National Government Agency, primarily for administrative purposes, including receiving its annual budget from the general appropriations of the National Government to cover appropriately the entirety of its mandated operations and activities;
- b) be considered as higher in level than a Bureau or Bureau-level agency but beneath that of a Department or Department-level agency, primarily for administrative purposes as to staffing pattern and compensation scales; and
- c) enjoy such privileges and special rules characteristic of both a Government-Owned or Controlled Corporation and a State University or College wherever possible and which, in any and all cases, promote the objectives of this Act; and that special rule as may be necessary to this effect be formulated and appropriately promulgated by the NALPA, the Department of Budget and Management, the Commission on Audit, and other concerned agencies.

Section 15. *The Dissolution of NPDC and NFC and Transfer to NALPA Secretariat.* - The NPDC and NFC are hereby dissolved and all their powers, functions, responsibilities, all applicable funds and appropriations, records, assets, and properties are hereby transferred to the NALPA Secretariat.

Chapter 3 -The National Parks Institute

Section 16. *The Creation of the National Parks Institute.* - There is hereby created the National Parks Institute of the Philippines which shall be under the supervision of the Board. The Institute shall serve as the training and development arm of Authority. The Institute shall be headed by a Director.

In coordination with CHED and state universities and colleges, and other private universities and institutions, the Institute shall establish a unique training course aimed at supporting the purposes of this Act, and shall:

- a) formulate and implement training programs for all personnel of NALPA, and of LGUs, and other agencies, and private entities and institutions who wish to train with the Institute;
- b) formulate and implement select mandatory and specialized courses, and for that purpose shall be allowed to issue diplomas and technical certificates under such rules as will be coordinated with CHED and TESDA;
- c) develop and implement research and development to support NALPA and for educational training programs; and
- d) perform such other related functions as may be prescribed by NALPA and the Board.

Chapter 4 - The National Parks System

Section 17. *Study and Planning of National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities.* - Within 3 years from the effectivity of this Act, the Authority shall make a comprehensive study of the National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities programs of the national government and the LGUs and of areas of land throughout the Philippines that are or may be chiefly valuable as National Parks, Urban Parks, Open Spaces, and Recreational-Area Facilities.

The report shall be submitted to the Board who shall be empowered to declare specifically identified areas as either National Parks, Urban Parks, Open Spaces, or Recreational-Area Facilities.

Section 18. *Identification of National Parks.* - Notwithstanding any law or proclamation to the contrary, the following parks are hereby considered National Parks and shall be under the jurisdiction of the Authority: (1) the Rizal Park, and (2) the Paco Park.

The Administrator, and its Provincial Administrators, are strictly mandated to investigate, study, and continually monitor areas whose over-all circumstances exhibit qualities of national significance and that may have potential to become a NALPA Park.

Section 19. *Acquisition of Land.* - In the exercise of its power under this Act, the Authority through the Administrator shall have the power to acquire land and interests in land within the boundary of any NALPA Park. In the same manner and for the establishment of an identified National Park, the power of eminent domain shall be exercised through the Administrator, or by any of its Deputies or Provincial Administrators.

Section 20. *Creation of Urban Parks and Open Spaces in LGUs.* - Within the period provided by the Authority, LGUs shall be obliged to identify Urban Parks and Open Spaces within their jurisdictions.

Identified areas may either become NALPA Administered Parks or maintain their nature as Local Parks at the discretion of the LGU.

The Authority is hereby mandated to enter into cooperative agreements with colleges and universities, in partnership with LGUs and other agencies, to establish cooperative study units to conduct multi-disciplinary research and develop integrated information products on the resources in the NALPA Parks, or the LGU of which the NALPA Park is located for possible commercial production or utilization.

Section 21. *Delineation of Authority and Coverage.* - Subject to the IRR and dependent on the categorization of the land or an area, a nature reserve or a declared protected area under the NIPAS shall continue to be under the jurisdiction of the DENR. All other parks established or may be established may be covered under this Act.

Section 22. *Administration, Management, and Funding of NALPA Parks.* - Subject to reasonable restrictions under the IRR, the general public are hereby to be granted free admission to all NALPA Parks. However, the Authority may levy appropriate fees to special activities or programs.

Section 23. *Retention of Income.* - The Authority is hereby authorized to retain the entirety of its income from all sources of its operations nationwide, and to spend the same for any purpose.

Section 24. *The NALPA Fund.* - The NALPA Fund is hereby established, to be managed/administered by the Authority, the income from which shall be utilized exclusively in awarding of grants and providing assistance to park development programs, local government units for upgrading their capabilities, and to develop and implement training and training-related activities for park development. The contribution to the fund shall be the following:

- a) a one-time lump sum appropriation from the National Government in the amount of P100,000,000.00
- b) donations, grants, endowments, and other bequests or gifts of which the Authority is hereby authorized to accept, and
- c) any other income generated by the Authority.

The Authority shall be the administrator of the fund, and as such, shall formulate the necessary implementing guidelines for the management of the fund, subject to the following: a) unless otherwise stipulated by the private donor, only earnings of private contributions shall be used; and b) no part of the seed capital of the fund, including earnings, thereof, shall be used to underwrite expenses for administration.

The Board shall appoint a reputable government-accredited investment institution as fund manager, subject to guidelines promulgated by the Board.

Section 25. *Incentives Schemes.* - The Authority shall develop and administer appropriate incentives schemes to encourage the LGUs and private industries and institutions to participate in the development of the National Parks System.

Section 26. *Parks and Green Spaces Awards.* - To promote parks development in the country and with the view of participating in international park development competitions, the Authority, with the active participation of private industries, shall organize and conduct annual Parks and Green Spaces Awards. The Authority, through the Secretariat, shall promulgate the necessary rules and guidelines for the effective and efficient conduct of Annual National Parks and Green Spaces Competition among the LGUs and for the country's participation in international park development competitions.

Section 27. *Exemption from Taxes, Duties, Fees and Charges.* - The Authority shall be exempt from the payment of taxes, fees and charges imposed by the National Government and its political subdivisions, agencies and instrumentalities regardless of the nature of its activity.

All donations in any form shall be exempt from the donor's tax and the same shall be considered as allowable deduction from the gross income in the computation of the income tax of the donor, in accordance with the provisions of Republic Act No. 8424, otherwise known as the National Internal Revenue Code of 1997, as amended.

Furthermore, importation of supplies and materials for the use of the Authority shall be exempt from customs duties.

Section 28. *Commercial Operations of and inside of NALPA Parks.* - The Authority shall be authorized to undertake commercial operations, the proceeds of which shall be credited to the NALPA Fund:

- a) The rental of dedicated areas for external events, functions and similar activities.
- b) The lease of dedicated areas for the erection and operation of commercial establishments inside NALPA Parks, which NALPA shall be allowed to award, through public bidding, and giving preference to nonprofit organizations of a nature related to or supportive of its mandate, for a term of up to five (5) years per contract.
- c) The production and/or licensing of official merchandise.
- d) The award of concession contracts when the Authority shall utilize concession contracts to authorize a person, corporation, or other entity to provide accommodations, facilities, and services to visitors or users of NALPA Parks.

Section 29. *Contracted Services.* - Then the Authority is authorized to contract our services for Park Management and Safety and Security Services.

Chapter 5 - Miscellaneous Provisions

Section 30. *NALPA Budget.* - The amount necessary to finance the initial implementation of this Act shall be charged against the existing appropriations of s the NPDC and the NPF, and shall be supported by funds coming from the Office of the President. Thereafter, such funds as may be necessary for the continued implementation of this Act shall be included in the annual General Appropriations Act.

Section 31. *Implementing Rules and Regulations.* - Within 180 days from the effectivity of this Act, the Administrator shall submit to the Board the implementing rules and regulations of this Act upon prior consultation with all concerned groups and entities.

Section 32. *Transitory Provisions.*

- a) Within two (2) months after the approval of this Act, the President shall, in consultation with the Secretary of Tourism appoint the private sector representatives of the Board.
- b) Within three (3) months after the appointment of the private sector representatives, the President shall, upon the recommendation of the Board, appoint the Administrator.
- c) Within four (4) months after the appointment of the Administrator, the Board shall convene to determine the organizational structure and staffing pattern of the Authority.
- d) Within one (1) year after the organization of the Authority, the Board shall commission an expert group on funding schemes for the NALPA Fund, as provided in Section 24, the results of which shall be used as the basis for appropriate action by the Board.
- e) Upon the effectivity of this Act, and prior to the appointment of the Board and the Administrator, the heads and personnel of both NPDC and the NPF shall continue to exercise their functions and duties, in holdover capacity, and shall ensure the smooth transition to the Board and the Administrator.
- f) All personnel of the NPDC and NPF are hereby deemed retired from service. Retirement and separation benefits shall be paid under existing rules and regulations.
- g) The Authority may on its discretion retain any personnel of NPDC and NPF it deems necessary to carry out its purpose and function.
- h) The ownership and title to the properties now actually occupied by the NPF and NPDC are hereby transferred in fee simple to the Authority, subject to the following conditions:
 - i) The titles to the land conveyed by this Act shall not be transferred by the Authority to another person or entity without previous authorization by the President of the Philippines.
 - ii) The Authority is hereby authorized to mortgage any properties referred to above for the purpose of carrying out its objectives and purposes only; and
 - iii) In case the Authority is dissolved or ceases, for any reason, to undertake its objectives, or ceases to need any of the lands for any reason, said land shall ipso facto revert to the National Government without compensation.

Section 33. *Automatic Review.* — Every five (5) years, after the effectivity of this Act, an independent review panel composed of three (3) persons appointed by the President

shall review the performance of the Authority and shall make recommendations, based on its findings to the President and to both Houses of Congress.

Section 34. *Repealing Clause.* — All laws, presidential decrees or issuances, executive orders, letters of instruction, administrative orders, rules or regulation inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 35. *Separability Clause.* - If any provision of this Act is declared unconstitutional, the remainder of this Act or any provision not affected thereby shall remain in full force and effect.

Section 36. *Effectivity.* — This Act shall take effect fifteen (15) days after the publication in the Official Gazette or in a newspaper of general circulation.

Approved,