SB MEMBER

SB MEMBER



Republic of the Philippines Province of Isabela MUNICIPALITY OF PALANAN

OFFICE OF THE SANGGUNIANG BAYAN

Literal copy of *Municipal Ordinance No. 2022 – 01* approved by the Sangguniang Bayan of Palanan, Isabela in its *Regular Session* on *January 10, 2022* held at the Legislative Session Hall, this Municipality.

MUNICIPAL ORDINANCE NO. 2022-01

AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM THE MUNICIPALITY OF PALANAN,

> Sponsored by: HON. CRISELDA S. DE A PENA, Sangguniang Bayan Member Co-Sponsored by: HON. EARL JOHN ANGELD S. BERNARDO, Sangguniang Bayan Member HON. GLORIA D. CAUILAI Sangguniang Bayan Membe HON. PACITA MONA Q. ATANACIO, Sangguniang Bayan Member HON. THEO ANGELO A. GARCIA, Sangguniang Bayan Member

WHEREAS, Palanan, Isabela is a biologically diverse municipality with highly threatened marine species that require national protection;

whereas, threatened marine species are protected in the country primarily through Republic Act No. 9147 while Act 8550 as amended by Republic Act 10654; whereas, environmental protection and biodiversity conservation are among the tourism objectives under Act No. 9593; and Republic Act 8550 as amended by Republic Act 10654;

Republic Act No. 9593;

WHEREAS, in response to an increase in domestic and international tourists, local government units are permitting the development of tourism activities in sensitive habitats that are home to threatened marine wildlife;

WHEREAS, unregulated tourism and wildlife interaction may cause serious long-term damage to marine wildlife and associated habitats, and may compromise the safety of communities, tour operators, and tourists;

WHEREAS, marine wildlife interaction is a specialized form of tourism which requires special planning, development, operations, procedures, regulations and training to ensure sustainability;

WHEREAS, current oversight of marine wild fe tourism interaction is minimal, and the creation and implementation of unified policy and comprehensive guide ines that would regulate marine wildlife tourism interaction are essential to preserve marine life and sensitive marine habitats in the Municipality;

WHEREAS, the Municipality of Palanan, Province of Isabela has existing mandates in the use, protection, and conservation of natural resources for the sustainable future of the country;

THEREFORE, this Ordinance is hereby adopted for the guidelines and compliance of all concerned:

ARTICLE I TITLE AND DEFINITION OF TERMS

SECTION 1. TITLE. This Ordinance shall be known as "Marine Wildlife Tourism of the Municipality of Palanan, Province of Isabela".

SECTION 2. DEFINITION OF TERMS. As used in this Ordinance, the following terms are defined as indicated below:

Page 01/09

ORMA D. CAUILAN

CRISELDA S.

ANGELINA A. BERNARDO

JUSTIN KERBY S. BERNARDO

SK FEDERATION PRESIDENT

LNB PRESIDENT

1. ACCREDITATION - refers to a certification issued by the Department of Tourism to a tourism enterprise that officially recognizes it as having complied with the minimum standards for the operation of tourism facilities and services;

- AIRCRAFT any manned or unmanned velicle and device (including drones) capable of flight;
- **DEDICATED INTERACTION** refers to tours that are primarily focused on interaction with marine wildlife and occurs in one of the Dedicated Interaction Sites;
- **DEDICATED INTERACTION SITES AREAS** are well defined areas for marine wildlife tourism, either managed as a sanctuary reserve protected area or not, focused on a particular species or several species, with specified operating times. A lig of Dedicated Interaction Sites/Areas identified and to be updated periodically;
- 5. DISTURBANCE refers to any intentional and unintentional acts that disrupt the natural cycle, behavior, and activities of marine wildlife for the short or long-term without necessarily causing any physical injury to the same such as but is not limited to acts producing noise, pollution, degradation of habitat, blockage of movement, displacement and the like and or those prohibited acts enumerated under Section 6 of this Ordinance;
- **ECOTOURISM** refers to a form of sustainable tourism within a natural and/or cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge, and environmental education and ethics are balanced with economic objectives and benefits to enrich the host community and satisfy tour its;
- 7. HARRASSMENTS refers to any intentional acts or activities that are detrimental to the survival and welfare of marine wildlife and/or marine habitat and /or those prohibited acts enumerated under Section 6 of this Ordinance;
- **MALTREATMENT** refers to acts that yould hinder an animal's health, reproduction, movement, comfort, nourishment, and safety; including its ability to express innate behavior, and acts which creates situations where the animal could suffer from unpleasant states such as pain, injury, fear, and distress including omission of action which subject animals to foreseeable danger and harm and/or those enumerated prohibited acts under Section 6 of this Ordinance;
- MARINE WILDLIFE refers to a large marine vertebrates that are typically slow to produce, and are therefore susceptible to population depletion, including, but is not limited to, the following taxonomic groups; Elasmobranchs (sharks, rays, and skares), Cetaceans (dolphins, whales, and porpoises). Sirenians (dugong) and Chelonids (marine turtles) and eatherback. Shark, by definition under the National Plan of Action-Sharks, include true sharks (sharks), wanged sharks (rays), and silver sharks (chimaeras). A list of current species affected;
- 10. NON-DEDICATED INTERACTION refers to the opportunistic, accidental or unintentional interaction with marine wildlife occurring a ywhere else other than the Dedicated Interaction Cites (tourism or non-tourism sites);
- 11. OFFENDER Any person who committed the prohibited acts as enumerated in Section 6 herein, or committed any similar acts that disturb, haras, maltreat marine wildlife and acts detrimental to the wellbeing of marine wildlife:
- 12. PRECAUTIONARY PRINCIPLE rears to a process wherein conservational actions must be undertaken where there are possibilities of erious or irreversible effects to marine wildlife and their habitat even if there are scientific uncertaintie
- 13. SEA VESSEL refers to a motorized or non-motorized boat or banca of 20 gross tonnages (GRT) below engaged in providing water transport ervices for dedicated interactions with marine wildlife for tourists;
- 14. THREATENED SPECIES the general term to denote species or subspecies considered as critically endangered, vulnerable or other accepted categories of wildlife whose population is at risk of extinction, as may be defined under R.A. No. 1 654 and R.A. No. 9147, e.g. certain species and plants listed by the International Unions for Conservation of Nature (IUCN) and as determined by the Secretary of the DENR and/or Secretary of the DA to be critically endangered, vulnerable or other accepted categories based on the best scientific data and with due legard to internationally accepted criteria;

Page 02/09

MICHAEL JOHN D. BERNARDO

EARL JOHN ANGELO S. BERNARDO

SB MEMBER



THEO ANGELO A. GARCIA

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MAR HE WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN, ISABELA".

observation through snorkeling, skin diving, or SCUBA diving.

15. TOURISM INTERACTION - refers to any recreational, educational, or entertainment activities that involve the observation of or interaction with unconfined marine wildlife in their natural habitat, including, but is not limited to, observing the animal on the surface of the water or from land or air and in-water

ART CLE II **RULES AND REGULATIONS GOVERNING TH** E CONDUCT OF MARINE WILDLIFE TOURISM CTIONS

SECTION 3. GENERAL CONSIDERAT ONS - The following rules and regulations shall govern all considered as one unit. Specific procedures may apply to certain species.

conduct of all dedicated interactions with marine wildlife in the Municipality of Palanan, Isabela. Emerging and potential interaction sites shall likewise be covered under this Orginance. The regulations described herein apply equally to individual animals and animals in groups or aggregations. Aggregations of a single species or several species shall be

- 3.1. SCUBA divers, snorkelers, skin divers, sea ve sels, tour operators, local government units and all others standards;
- who wish to engage in marine wildlife tourism interactions shall follow national and international trade safety
- 3.2. The Greens Fins Code of Conduct for diving and snorkeling shall be used as a standard, especially for acts not yet addressed in this Circular;
 - 3.3. Air and water pollutants emitted from any vehicles or sea vessels shall be minimized;
 - 3.4. Best efforts shall be made to protect the ecological integrity of marine wildlife habitats;
- 3.5. Education information including, but are not limited to marine wildlife conservation, biology, ecology, behavior, threats and the potential effects of the interaction on them shall be provided to the tourists before any interaction is conducted through a dedicated briefing or orientation program;
- 3.6. Other activities in dedicated marine wildlife interaction areas, including non-tourism activities shall be regulated and restricted;
 - 3.7. All dedicated interactions shall be consistent with existing local and national conservation regulations,
- rules and policies:
- 3.8. If conducted within a Protected Area, it should adhere to the management prescriptions under the Protected Area Management Plan and duly coordinated with its Protected Area Management Board;
- - 3.9. The marine wildlife interaction zones described in Section 4 of this Ordinance shall be established; and
- 3.10. Scientific research on marine wildlife and the r habitat and the tourism activity shall be implemented by the management authorities and their partners, which includes, but are not limited to, conducting visitor's surveys, documenting sightings, and assessing the welfare of the targeted species.

SECTION 4. ESTABLISHMENT OF ZQNES. The following zones shall be established for all the marine wildlife interaction areas.

Approach and No Interaction Zones are strictly off limits to sea vessels, aircraft, and persons at all times;

4.1. No Approach and No Interaction Zones - The No Approach and No Interaction Zones include the area within the minimum distance of marine wildlife as rescribed herein for each specific activity. The No Approach and No Interaction Zone include the space directly above and beneath the marine wildlife, and area formed by the sixty (60) degrees are in front of and behind the animal or group of animals, using the outermost animals as a reference. No

entertainment activities occur that involve the observation of, or interaction with, unconfined marine wildlife in their natural habitat, including, but are not limited to, observing the animal from a sea vessel, land or air, and in-water observation through snorkeling, skin diving or using SCUBA;

4.2. Interaction Zone – The Interaction Zone extends to any location where recreational, educational, or

Page 03/09

JUSTIN KERBY S. BERNARDO

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MARINE WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN, ISABELA".

4.3. Waiting Zone – The Waiting Zone includes any area immediately adjacent to the Interaction Zone. The Waiting Zone, typically, shall be used as location for see vessels and persons to gather while waiting for their turn to

SECTION 5. CODE OF CONDUCT WITHIN THE ZONES -

5.1. General Code of Conduct

- 5.1.1. Noise shall always be at a minimum especially for engines, equipment, devices and water entry (no splash);
- 5.1.2. If the marine wildlife approached the person or the sea vessel, they shall maintain the minimum distance by slowly moving away from the marine wildlife;
- 5.1.3. If aggressive behavior is exhibited by the marine wildlife or if the marine wildlife evades the sea vessel person continually, the interaction shall cease and the sea vessel/person shall move back to the Waiting Zone and beyond;
- 5.1.4. If there is imminent danger to any marine wildlife and/or person, the sea vessel engine shall be shut off, persons in the water shall return to the sea vessel and the interaction with the marine wildlife shall be aborted;
- 5.1.5. Any marine wildlife in the distress shall be assessed only by an authority on board the sea vessel (e.g. guides, Protected Area Management representative, species expert). The incident shall be immediately reported to the proper authorities for further instructions;

5.2. For Sea Vessels

- 5.2.1. The Interaction Zone is 200 meters wide and starts from the No Interaction Zone boundary. The maximum number of sea vessels prescribed herein shall be maintained within that zone at all times. Any other sea vessels in the vicinity shall stay in the Waiting Zone (300 meters from the No Interaction Zone) or beyond and shall wait interacting sea vessel/s to finish with their interactions;
- 5.2.2. The maximum duration of the interaction p escribed herein shall be maintained, especially if other sea vessels are waiting for their turn to interact. Viewing shall be maintained parallel to the marine wildlife;
- 5.2.3. Constant communication among sea ves el operators and guides shall be employed within the Interaction and Waiting Zones.

5.3. For Person In-water

- 5.3.1. The Interaction Zone is 30 meters wide and starts from the No Interaction Zone boundary, the maximum number of persons prescribed herein shall be maintained within that zone at all times. Any other persons in the vicinity shall stay in the Waiting Zone (100) meters from the No Interaction Zone or beyond and shall wait for the ones ahead to finish with their interaction;
- 5.3.2. The maximum duration of the interaction persons are waiting for their turn to interact. Viewing shall be maintained parallel to the marine wildlife at all times. All sea vessels shall position themselves within the boundary of the Waiting Zone.

SECTION 6. PROHIBITED ACTS IN DEDICATED INTERACTION SITES. The following acts that disturb, harass, and maltreat marine wildlife and degrade their habitats, hence, are not allowed:

- 6.1. Any provocative act including, but is not limited to, teasing, chasing, playing, and aggressive pursuit of marine wildlife;
- 6.2. Any method designed to attract marine wildlife, including, but is not limited to, creating bubbles, noisemaking (with plastic bottles or other methods), using light from any artificial source, and use of chemicals;
- 6.3. Provisioning or the use of any methods designed to attract marine wildlife using food (artificial or natural) including, but not limited to, luring, baiting, chumming, and beding;

Faye 04/09

IUSTIN KERBY S. BERNARDO SK FEDERATION PRESIDENT

RIA D. CAUILAN

THEO ANGELO A. GARCIA

LNB PRESIDENT

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MAR NE WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN, ISABELA".

- 6.4. Any physical contact, including touching or handling, or attempted touching or handling, of marine wildlife;
- 6.5. Riding and stepping on, attempting to ride or step on, any marine wildlife;
- 6.6. Blocking and/or crossing the path of marine wildlife;
- 6.7. Positioning oneself directly below or above marine wildlife;
- 6.8. Approaching marine wildlife directly from the front or back;
- 6.9. Any method intended or likely to divide a group, school, or pod of marine wildlife;
- 6.10. Any method that would corner or entrap marine wildlife;
- 6.11.Any form of interaction with pregnant marini wildlife or one in the process of giving birth or mating, or a group consisting of un-weaned animals with their mothers;
 - 6.12. Any interaction with a nesting marine turtle lefore it starts laying eggs;
 - 6.13. Any intentional in-water interaction with cetaceans;
 - 6.14. Using SCUBA or any surface supplied air system in whale shark Dedicated Interaction Sites;
 - 6.15. Underwater playback and/or broadcast of so and;
 - 6.16. Using flash, strobes, and video lights;
 - 6.17. Using camera poles, selfie sticks, and monopods;
 - 6.18. Using jet skis and other non-regulated motor ted sea vessels;
 - 6.19. Using any sea vessel that is not easily maneuverable, including, but is not limited to, sailboats;
 - 6.20. Using underwater motorized propulsion evices, including, but is not limited to, dive scooters, recreational submarines, drones, and remotely operated vehicle;
 - 6.21. Dropping anchor;
- 6.22. Using any non-marine life friendly sun creen, specifically those containing nanoparticles and benzophenone-2; and
 - 6.23. Using any sonic underwater signaling devices or horns.

SECTION 7. Specific Regulations per Activity

- 7.1. General Considerations
- 7.1.1. *Dedicated Interaction Sites Operating Hours* The following hours applicable to all Dedicated Interaction Sites shall be enforced:
 - a. All dedicated interactions in water habitats for marine mammals, whale sharks, and marine turtles shall be limited to daylight hours (i.e., sunrise to sunset;
 - b. All dedicated interactions for marine turtle during egg-laying and hatchling observations/release shall be limited to the hours between dusk and dawn;
 - 7.1.2. **Maximum Interaction Hours per Day in Dedicated Sites** —The following maximum hours per day for dedicated interactions shall be enforced at the interaction area, depending on the species of marine wildlife and habitats affected:
 - a. Dugong: 6 hours
 - b. Cetaceans: 8 hours

ELINA A. BERNARDO LNB PRESIDENT

JUSTIN KERBY S. BERNARDO SK FEDERATION PRESIDENT

GLERÍA D. CAUILAN SB MEMBER

CRISELDA S. DELA PENA SI MEMBER

THEO ANGELO A. GARCIA
SB MEMBER

SB MEMBER

JELA PENA

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MAR IE WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN, ISABELA".

Whale shark: 8 hours C. d. Other sharks: 8 hours Manta Rays: 8 hours e. f. Marine turtles: 8 hours

7.1.3. Maximum Observation Time per Interaction, the following time limits for single dedicated interaction shall be enforced, depending on the species of marine wild fe and habitats affected:

Dugong: 20 minutes a. b. Cetaceans: 30 minutes Whale shark: 30 minutes c. d. Other sharks: 30 minutes e. Manta Rays: 30 minutes f. Marine turtle: 30 minutes

7.2. Land-Based Dedicated and Interaction Regulations

7.2.1. The following rules apply to dedicated in eraction involving observation from the shore, beach, or elevated platforms on water or on land;

- Sea vessels, land vehicles, and any person shall maintain a minimum distance of 20 meters from nesting marine turtle up to the time when the marine urtle starts laying eggs;
- The aircraft shall maintain a minimum height a 300 meters above the water surface for planes and moving aircraft, and drones while a minimum height # 500 meters for helicopters without hovering is prescribed, subject to existing regulations;
- For land-based dedicated marine turtle interaction, a minimum of a 6 individuals are allowed in the Interaction Zone;
- d. Interaction stops when the nesting turtle returns to the sea;
- Hatchlings of marine turtles from natural ne ts shall be left alone .Handling of marine turtle eggs and hatchlings are only allowed under supervision of the DENR and as specified in the marine turtle hatchery management procedures.

7.3. Aircraft Dedicated Interaction Regulations

7.3.1. The following regulations apply to dedicated interactions involving aircrafts, either manned or unmanned:

- The aircraft shall maintain a minimum height of 300 meters above the water surface for planes and moving aircraft, and drones while a minimum height of 500 meters for helicopters without hovering is prescribed, subject to existing regulations;
- The aircraft shall not maintain a position where a shadow is cast over any marine wildlife;
- A maximum of 5 minutes observation is allowed

7.4. Sea Vessel Dedicated Interaction Regulations

- 7.4.1. The following general regulations apply to dedicated interactions involving any sea vessels;
- Propeller guards are recommended for all sea tessels used in dedicated interaction with marine wildlife;
- The engine of any vessel shall be properly maintained for safety and to reduce noise and fuel leaks.

7.5. Minimum Sea Vessel Distance Requirements within the Interaction Zone

7.5.1. The following minimum distance from the sea vessel (stationary or moving) to any marine wildlife or group of marine wildlife (using the outermost animals as a reference) during any dedicated interaction shall be maintained at all times, notwithstanding the movement of the animal;

Page 06/09

SK FEDERATION PRESIDENT IUSTIN KERBY S. BERNARDO GŁORIA D. CAUILAN

LNB PRESIDENT

EARL JOHN ANGELO S. BERNARDO

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MARI IE WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN, ISABELA".

a. Dugong: 50 meters

g.

b. Small cetaceans: 50 meters
c. Large cetaceans: 100 meters
d. Whale shark: 20 meters
e. Other sharks: 20 meters
f. Manta rays: 20 meters

Marine turtles: 20 meters

7.5.2.In the event the marine wildlife actively approaches a sea vessel within the Interaction Zone, that sea level shall move away to maintain the minimum distance or proceed slowly and carefully to the Waiting Zone.

7.6. Maximum Number of Sea Vessels within the Interaction Zone

7.6.1. The number of sea vessels within the Interaction Zone at any time shall not exceed the following:

a. Dugong: 1 sea vessel
b. Cetaceans: 2 sea vessels
c. Whale shark: 1 sea vessel
d. Other sharks: 2 sea vessels
e. Manta rays: 2 sea vessels
f. Marine turtles: 2 sea vessels

7.7. Sea Vessel Movement

7.7.1. Sea vessels shall only approach the marine wildlife from their side. Any attempt to approach marine wildlife from its front or back is prohibited.

7.7.2. While underway, the direction of travel of the sea vessel shall remain parallel to the direction of travel of any marine wildlife.

7.7.3. Sea vessels shall maintain a constant speed within the Interaction Zone and refrain from sudden change in direction and abrupt movements.

7.7.4. The maximum speed of any sea vessel with a the Waiting Zone shall not exceed 15 kilometers per hour (8 knots).

7.7.5. The maximum speed of any sea vessel within the Interaction Zone shall not exceed the maximum speed of the slowest animal, but in any event, shall not exceed 5 kilometers per hour (3 knots) and shall not create a wake.

7.7.6. Communication among sea vessels within the Interaction Zone and the Waiting Zone shall be open at all

7.8. In-Water Dedicated Interaction Regulations. The following regulations shall apply to any in-water dedicated interactions with marine wild fe, including but are not limited to, SCUBA diving, surface supplied air systems, skin-diving and snorkeling:

7.8.1. Minimum Distance of Persons from Marine Wildlife within the Interaction Zone - The following minimum distance shall be maintained between at y person and the marine wildlife or group of marine wildlife (using the outermost animals as reference) during any dedicated interaction shall be maintained at all times, notwithstanding the movement of the animal:

a. Dugong: 10 meters

b. Cetaceans: no in-water activity permitted

c. Whale shark: 3 meters from the body and 4 meters from the tail

d. Other sharks: 5 meterse. Manta rays: 5 metersf. Marine turtles: 2 meters

7.8.2. Tour operators and guides shall advise tourists to move slowly away from marine wildlife if approached, avoiding sudden or quick movement when doing so.

Page 07/09

GEORÍA D. CAUILAN SB MEMBER

SK FEDERATION PRESIDENT

LNB PRESIDEN

CRISELDA S. DELA PENA SEMEMBER

> THEO ANGELO A. GARCIA SB MEMBER

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MARI IE WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN, ISABELA".

7.8.3. Maximum number of persons in the water per animal (excluding guides and researchers). The number of individuals in the water with any individual animal during dedicated interaction with marine wildlife shall not exceed the following:

a. Dugong: 4

b. Cetaceans: no in-water activity permitted

c. Whale shark: 10d. Other sharks: 10e. Manta rays: 10f. Marine turtles: 4

7.8.4. It shall be mandatory for persons engaging a in-water interaction by snorkeling and skin diving, to wear a life jacket or personal flotation device for the entire duration of the interaction period.

7.8.5. It shall be mandatory for persons engaging in SCUBA diving and use of Surface Supplied Air Systems to comply with the following:

a. No gloves may be worn at any time.

- Sonic signaling devices and horns are prohibited. Tank bangers and similar signaling devices shall be used sparingly or avoided totally.
- For non-dedicated interactions which may occur during night dives, any artificial lights, including, but are not limited to, torches, video lights, and strobes, shall not be directed at any marine wildlife.

SECTION 8. DUTY OF TOUR OPERATORS AND GUIDES - It shall be the duty of Tour Operators and Guides to ensure that prior to the conduct of the marine wildlife interaction, all persons availing of their services shall be apprised of the proper conduct to be a served during the activity particularly the prohibited acts provided under Section 6 of this Ordinance. It is also imperative on the part of the Tour Operators and Guides to ensure their strict adherence of their clients to the guidelines provided herein during the conduct of the marine wildlife interaction.

ARTICLE III PENALTIES

SECTION 9. PENALTIES - All above-mentioned offenses shall have uniform penalties depending on the frequency of the commission of the offense:

- (a) First Offense : Fine ranging from P50 .00 but not more than P1,000.00 at the discretion of the Court.
- (b) **Second Offense** : Fine ranging from P1,000.00 to P2,000.00 or imprisonment for ten(10) days but not more than one (1) month or both at the discretion of the Court.
- (c) **Third Offense** : Fine ranging from P 2, 00.00 but not more than P 2,500.00 or imprisonment for one (1) month and one (1) day but not more than two (2) months or both at the discretion of the Court.

Any person, tour operator or guide who had been found guilty for more than three (3) times of one (1) or a combination of two (2) or more offenses herein listed shall no longer be eligible to avail of administrative adjudication allowing payment of fines. Instead, he shall be prosecuted riminally and be made to pay the maximum penalty of fine and imprisonment. Provided, further, that the Municipal Adjudication Board in the exercise of its power may impose the penalty of fine to offenders who are willing to plead guilty to the offense and express willingness to pay the fines as herein-above stated.

ARTICLE IV GENERA, PROVISIONS

SECTION 10. FINANCING AND SOURCE OF FUNDS - The Municipality shall ensure the annual allocation of budget for the implementation of this Crdinance, including specific budget allocations for activities such as patrolling marine wildlife tourism interaction site and areas and development of the same to ensure the enforcement of all the rules and regulations provided herein

Page 08/09

IUSTIN KERBY S. BERNARDO
SK FEDERATION PRESIDENT

ANGELINA A. B

GLORIA D. CAUILAN
SB WEMBER

CRISELDA S. DELA PENA SBMEMBER

> THEO ANGELO A. GARCIA SB MEMBER

MUNICIPAL ORDINANCE NO. 2022-01: AN ORDINANCE PROVIDING FOR THE RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS, OTHERWISE KNOWN AS THE "MARI ISABELA".

E WILDLIFE TOURISM ORDINANCE OF THE MUNICIPALITY OF PALANAN,

appropriated yearly to support the implementation of this prdinance.

For this purpose, the initial amount of *One fundred Fifty Thousand Pesos (P 150,000.00)* is hereby

inconsistent with the provisions of this Ordinance are here y modified or repealed accordingly.

SECTION 11. EXERCISE OF OVERSIGHT FUNCTIONS - The Sangguniang Bayan shall hereby exercise its inherent oversight function pertaining to the use of the aforementioned budgetary allocation for the implementation of this Ordinance by the executive department pursuant to this Ordinance. All Ordinances and rules the use of the aforementioned budgetary allocation for the

SECTION 12. SEPARABILITY CLAUSE - If any provision of this Ordinance be declared unconstitutional or invalid, the other provisions thereof not affected shall remain valid and enforceable.

SECTION 13. TRANSITORY PROTISIONS - All existing laws, rules, regulations, executive orders not inconsistent with this Ordinance shall remain operative until amended, repealed, or revoked. Towards this end, the incumbent members of the officers and appointed officials within the bodies which are amended or repealed by this Ordinance shall continue in office until such time is the duly appointed members and officers of such bodies have been appointed and taken their oath of office.

SECTION 14. REPEALING CLAUSE - All ordinances, executive orders, rules and regulations or parts thereof whose provisions are inconsistent to this Ordi ance are hereby repealed.

SECTION 15. MANDATORY LEGISLATIVE REVIEW - The Sangguniang Bayan shall undertake the mandatory legislative review of this Ordinar e at least once every three (3) years or as often as may be deemed necessary, to ensure that the policies will remain responsive to changing circumstances in the Municipality.

SECTION 16. EFFECTIVITY CLAUSE - This Ordinance shall take effect immediately after compliance with the posting and publication requirement aursuant to Section 59 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, January 10, 2022.

TESTED AND CERTIFIED BE DULY ENACTED:

Municipal Vice Mayor & Presiding Officer

GONZALES

I HEREBY CERTIFY that the foregoing prolinance was duly enacted by the Sangguniang Bayan o Palanan, Isabela during its Regular Session.

APPROVED:

ТН В. ОСНОА Municipal Mayor

Secretary to the Sanggunian

01-19-2022

THEO ANGELO A. GARCIA SB MEMBER

Page 09/09

SK FEDERATION PRESIDENT JUSTIN KERBY S. BERNARDO

IA D. CAUILAN

ANGELINA A BERNARDO LNB PRESIDENT