

ACT NO. 3915

ACT NO. 3915 - AN ACT PROVIDING FOR THE ESTABLISHMENT OF NATIONAL PARKS,
DECLARING SUCH PARKS AS GAME REFUGES, AND FOR OTHER PURPOSES

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and, by the authority of the same:

SECTION 1. Upon recommendation of the Secretary of Agriculture and Natural Resources, the Governor-General shall, by proclamation, reserve and withdraw from settlement, occupancy or disposal under the laws of the Philippine Islands any portion of the public domain which, because of its panoramic, historical, scientific or aesthetic value, should be dedicated and set apart as a national park for the benefit and enjoyment of the people of the Philippine Islands.

SECTION 2. Such national parks are hereby declared game refuges and bird sanctuaries, and except as herein provided, it shall be unlawful for any person to hunt, take, wound or kill, or in any manner disturb or drive away therefrom, any wild bird or wild animal, take or destroy the nests or eggs of such birds, or take or kill any fish or shellfish in the said parks.

SECTION 3. Subject to the general executive control and supervision of the Secretary of Agriculture and Natural Resources, the parks established under this Act shall be under the immediate direction and administration of the Director of Forestry.

SECTION 4. The Director of Forestry shall with the approval of the Secretary of Agriculture and Natural Resources, make and publish regulations:

- (a) For the protection, care, management, control, maintenance, and improvement of said parks, and for the use and enjoyment thereof;
- (b) For the granting of licenses for the cutting of timber or other forest products subject to the provisions of Act Numbered Thirty-six hundred and seventy-four in cases where the cutting of such timber and other forest product is deemed necessary in order to control the attacks of insects or diseases or otherwise conserve and enhance the beauty of the scenery, or to improve the surroundings of the natural or historic objects within the said parks;
- (c) For the preservation of game, birds, fish and other animals therein;
- (d) For the destruction of such animals and such plant life as may be detrimental to the use of any portion of said parks;
- (e) For the use or occupancy of suitable portions of said parks under lease awarded to the highest bidder, for periods not exceeding twenty years, or under provisional annual permit as may be deemed advisable in the public interest, subject to the general restrictions contained in the Public Land Law; for the construction of buildings for ordinary habitation, for purposes of trade and industry, or for the accommodation of persons resorting to the parks: Provided, That no natural curiosity, wonders or

objects of interest shall be leased, rented or granted to any person on such terms and conditions as to interfere with the free access to them by the public;

(f) For the specification of the class, type and style of buildings and other structures to be erected in the parks and the materials with which they are to be built;

(g) For the construction, operation and maintenance of roads, trails waterworks, sewerage fire protection, and sanitation systems and other public utilities within the parks; Provided, That the operation of privately owned public utilities authorized to operate in a national park and the fixing of the rates thereof shall be subject to the provisions of the Public Service Law;

(h) For the preservation of the public health and prevention of spread of disease; and

(i) For all purposes necessary to carry this Act into effect according to its true intent and meaning: Provided, That no regulation shall be promulgated nor shall any construction work or sanitary measure be executed which, if undertaken by the Government, would be under the supervision of the Bureau of Public Works or the Philippines Health Service, without the approval of the Director of Public Works or the Director of Health as the case may be.

SECTION 5. The Director of Forestry shall be authorized, subject to the approval of the Secretary of Agriculture and Natural Resources, to collect fees and impose conditions for the use and enjoyment of the national parks, in accordance with the provisions hereof The provincial treasurers of the provinces where the parks are situated, shall act as agents of the Director of Forestry for the collection of revenues and fees derived from national parks.

SECTION 6. A sum not to exceed one hundred thousand pesos per annum is hereby set aside from the sums collected under the provisions of this Act to carry out the purposes hereof Said sum shall be included in the annual appropriation acts beginning from the year nineteen hundred and thirty-three and shall be made available for the maintenance, operation and improvement of the parks established hereunder, including the construction, maintenance, repair of roads, trails, monuments, and necessary buildings within the parks; for the salaries, wages and traveling expenses of the necessary personnel; for the purchase of the necessary supplies and equipment; and for such other expenditures as may be deemed necessary to carry out properly and effectively the purposes of this Act.

SECTION 7. Upon the, recommendation of the Director of Forestry, the Secretary of Agriculture and Natural Resources is hereby authorized to appoint an advisory committee for each national park established, such committee to be composed of not more than five members, one of whom shall be the provincial governor and another a resident of the province in which the national park is located: Provided, however, That should the park comprised more than one province, the respective governors of the provinces so comprised shall become e ex-officio members of the advisory committee: Provided, further, That in case of parks of historical or scientific value or other wise, the Director of the Bureau of Science or such citizens as are duly qualified in special lines to carry the subjects and purposes for which the park is established shall be appointed also as members thereof. Said advisory committee shall only aid the Director of Forestry and the Secretary of Agriculture and Natural Resources in the administration of such parks. Members of such advisory committees shall serve without compensation.

SECTION 7-A. Officers and employees of the Bureau of Forestry who may be designated in writing by the Secretary of Agriculture and Commerce upon the recommendation of the Director of Forestry shall, in addition to the performance of their duties prescribed under the forest laws and regulations, act as peace officers for the purpose of maintaining peace and order within national parks. As peace officers, they shall exercise police supervision over national parks, and may arrest any person found in any place within national parks under suspicious circumstances as reasonably tending to show that such person has committed or is about to commit an offense against the provisions of this Act or any other law or pertinent regulation.

Any officer or employee of the Bureau of Forestry making arrest under the provisions of this Act shall without unnecessary delay and within the time prescribed in the Revised Penal Code, take the person arrested to the proper court or judge to be dealt with according to law.

SECTION 8. Any person, association or corporation who shall violate any provision of this Act or regulations promulgated thereunder or shall without permit or license occupy any portion of the national parks, or shall in any manner destroy or damage the timber or other forest products or forest cover therein or shall mutilate, deface or destroy objects of natural beauty or of scenic value within the national parks, except as otherwise provided in this Act, shall be liable to a fine of four times the regular Government charges on the timber or other forest products so unlawfully destroyed, and in addition thereto suffer an imprisonment for not less than four months nor more than six months. Provided, That if the area is reforested, or under reforestation, the Government may in addition to the penalties herein prescribed, recover in civil action double the actual damages sustained as determined by the value of the property destroyed and the detriment to the vegetation thereof; Provided, however, That any person who shall, without license or permit, hunt, capture, kill, willfully disturb or drive away any kind of birds, fish or animals within the national parks shall be subject to the penalties provided for under Act Numbered Twenty-five hundred and ninety, entitled "An Act for the protection of game and fish" as amended: Provided, further, That in the case of a company or corporation, the president or manager shall be directly responsible for the acts of his employees or laborers if it is proved that the latter acted with his knowledge; otherwise, the liability, shall extend only as far as the fine is concerned: And provided, finally, That the Court shall, upon conviction, order the eviction of the offender from the land and that all timber or other forest products collected or removed or any construction or improvement made thereon by the offender shall be forfeited to the Government.

SECTION 9. Upon the express or implicit approval of this Act by the President of the United States, as provided in section nine of the Act of Congress approved on August twenty-ninth, nineteen hundred and sixteen, entitled "An Act to declare, the purpose of the people of the United States as to the future political status of the people of the Philippine Islands," and to provide a more autonomous government for those Islands," the Governor-General shall so announce forthwith, by means of a proclamation, and this Act shall take effect on the date of such proclamation.

Approved, February 1, 1932