

Republic of the Philippines
TUBBATAHA PROTECTED AREA MANAGEMENT BOARD
Puerto Princesa City, Palawan

TPAMB ADMINISTRATIVE ORDER NO. 05, SERIES of 2022

**AN ORDER PROHIBITING UNCERTIFIED DIVERS FROM ENGAGING IN SCUBA
DIVING ACTIVITIES IN TRNP AND THE MARINE PARK RANGERS
FROM ASSISTING IN SUCH ACTIVITIES**

WHEREAS, the Tubbataha Reefs Natural Park Act of 2009, also known as Republic Act (RA) No.10067 aims to ensure the protection of the globally significant economic and other values of the Tubbataha Reefs;

WHEREAS, the Tubbataha Protected Area Management Board (TPAMB) was established pursuant to Section 10 of RA No. 10067 to be the sole policy making and permit-granting body for the Tubbataha Reefs;

WHEREAS, Section 13 (e) of R.A. 10067 mandates the TPAMB to ‘promulgate rules and regulations and impose penalties for violations thereof’;

WHEREAS, scuba diving is a high-risk sport, thereby a certification course is required worldwide before engaging in the sport;

WHEREAS, the scuba diving conditions in Tubbataha are treacherous, with strong and variable currents, including down currents;

WHEREAS, introductory diving or try-scuba diving, where people without diver training or certification can experience scuba diving under the guidance of a recreational diving instructor, likewise pose a threat to the reefs and to people, considering the environmental conditions in TRNP;

WHEREAS, the diving accident that occurred in M/Y Narayana on 22 May 2022 involving a Rescue Diver, underscores the need for stricter rules on scuba diving in Tubbataha;

WHEREAS, in the interest of safety and to minimize the potential negative impacts of scuba diving in the Tubbataha Reefs, and pursuant to Section 13 (a), (e) and (l) of Republic Act No. 10067 or the TRNP Act of 2009, and consistent with other environmental laws relevant to the TRNP, this Administrative Order is issued through TPAMB Resolution 22-06 dated 26 May 2022 and Executive Committee Resolution No. 22-139 dated 7 July 2022.

Section 1. Title. This Order shall be known as the ‘Unlicensed Divers Rule.’”

Section 2. Declaration of Policy. It shall be the policy of the TPAMB to protect and conserve the globally significant economic, biological and socio-cultural values of the Tubbataha Reefs Natural Park into perpetuity for the enjoyment of present and future generations. This shall be pursued by prohibiting all extractive and destructive activities within the park. Participatory and collaborative management shall be pursued and public awareness and concern for TRNP heightened through education and information.

In line with this, it is the responsibility of the TPAMB to institute measures in the interest of public safety, to foster safe and efficient operation of vessels, and minimize the potential negative impacts of unnatural wave energy on the reefs and wildlife.

Section 3. Scope. This Order shall apply to everyone entering the Tubbataha Reefs Natural Park for whatever purpose.

Section 4. Definition of Terms

- a. *Diving instructor* – One who teaches people how to dive either for recreational or commercial purposes.
- b. *Introductory diving* – Scuba diving here people without diver training or certification can experience scuba diving under the guidance of a recreational diving instructor.
- c. *Scuba diving* - the sport of swimming underwater with special breathing equipment.
- d. *Uncertified diver* – A person who has no scuba diving training and certification.

Section 5. Prohibition. It shall be prohibited for uncertified divers to engage in scuba diving activities in TRNP. Likewise, marine park rangers are prohibited from assisting in such scuba diving activities.

Section 6. Compliance and Monitoring. Marine park rangers shall monitor compliance with this Order. Any person may file a report for the violation of this Order with TMO. Marine park rangers shall submit an Incident Report to TMO citing non-compliance with this Order by Park users for the filing of appropriate administrative/criminal charges.

Section 7. Penalties. Without prejudice to the filing of appropriate criminal cases, the concerned individuals/entities shall suffer administrative penalty for the violation of this Oder, stated as follows:

Classification of Offense	Particulars	Penalty
Light offense	Violation of AO that did not cause any damage or harm to anyone or the reefs	P5,000.00
Medium offense	Violation of AO that caused damage or harm	P10,000.00
Grave offense	Violation of AO that caused irreplaceable damage to people or the reefs	P30,000.00

- First Offense – Warning/Citation
- Second Offense – A fine of twice the penalty
- Third Offense – Ban from entering TRNP for two (2) years effective immediately

Section 8. Repealing Clause. All orders, rules and regulations or parts thereof which are inconsistent with this order are hereby deemed repealed, amended, or modified accordingly.

Section 9. Effectivity. This Order shall take effect fifteen (15) days after its publication in the Official Gazette through the Office of the National Administrative Register at the UP Law Center or in a newspaper of national circulation.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ of _____ 2022 at the City of Puerto Princesa, Philippines.

(I hereby certify that the above-quoted Administrative Order has been duly approved and adopted on _____2022 through TPAMB Resolution No. _____ at Puerto Princesa City.)

ANGELIQUE M. SONGCO
Protected Area Superintendent