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## Tubbataha Adjudication Board Rules of Procedure

1 message

**Tubbataha Reefs Natural Park** <tubbataha88@gmail.com>

Fri, Oct 27, 2023 at 5:45 PM

To: Glenda Cadigal <a9237705@yahoo.com>, "Capt. NAVAL FORCES WEST" <nf1nfw@gmail.com>, DENR Region IV-B <mimaroparegion@denr.gov.ph>, "Gov. Dennis Socrates" <palawan.gov.socrates@gmail.com>, Sergio Tapalla <boytaps\_tatos@yahoo.com.ph>, Trin Custodio <tcustodio@wwf.org.ph>, Coast Guard Station Puerto Princesa <cgspuertoprincesa1968@gmail.com>, Marivel Dygico <mdygico@wwf.org.ph>, Gia Querubin <giaquerubin@gmail.com>, "fbcayatocenro2019@gmail.com" <fbcayatocenro2019@gmail.com>, Cgdpal <cgdpal@coastguard.gov.ph>, Navforwest NF3 <nf3.hnavforwest@gmail.com>, OU7 WESCOM <ou7wescomafppalawan@gmail.com>, DENR PENRO <penropalawan@denr.gov.ph>, PCSD- Office of Executive Director <oed@pcsd.gov.ph>, Naval Forces <navalforceswest@gmail.com>, Chrisma Salao <csalao@wwf.org.ph>, Rhodora Ubani <rhodora\_ubani@yahoo.com>, levita.lagrada@gmail.com, Ni ffff1o Estoya <nio\_estoya@yahoo.com>

Dear Members of the Executive Committee,

As discussed during the meeting just ended, we attach the TAB Rules of Procedures with proposed amendments.

Our experience this summer with the two administrative cases brought to the fore the need for a more straightforward process. We drafted this proposal with the help of Atty. Villena, who we hope will be able to join us during our meeting on this matter.

This document will have to be presented to the TPAMB after your approval, hopefully during the last en banc meeting of the year.

The proposed amendments are (in red font):

1. Inclusion of the roles and responsibilities of the TAB Secretariat in the document;
2. Responsibility to evaluate the form and substance of complaints or petitions for the presence of probable cause and issuance and summons transferred to Secretariat from the TAB;
3. Section 14 (Who may be Charged) and 16 (Docketing) were added;
4. Section 21 (Recording and Filing of the Complaint, Petition, and Other Pleadings) and Section 22. (Evaluation of the Complaint or Petition) were added;
5. Section 23 (Summons) added the provision: 'If the respondent is a dive operator, the vessel may be disqualified from entering TRNP';
6. Section 32 (Resolution) The TAB is empowered to decide on the case. This was the TPAMB's purview prior to the amendment.
7. Section 35 (Appeal to the TPAMB) The TPAMB will serve as the appeals body if parties are not satisfied with the decision of the TAB. Current arrangements do not provide for appeals.
8. Section 40 (Mitigating Circumstances), Section 41 (Aggravating Circumstances), and Section 42 (Additional Penalties) were added.
9. Some changes were only in the format or sections were transferred to improve the flow of the document.

May we please request a meeting to discuss this document on the week of 20-23 November? Please check the calendar for your availability so we can schedule the meeting early.

**Link to the calendar:** <https://shorturl.at/eqq36>

We look forward to meeting with you on this document.

Thank you.

Sincerely,

Angelique Songco  
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TUBBATAHA MANAGEMENT OFFICE  
Manalo Ext. Brgy. Milagrosa,  
Puerto Princesa City, Palawan 5300  
Telephone: (048) 716-1631  
Mobile: 0998-552-1174 / 0917-553-0909  
Email: [tmo@tubbatahareefs.org](mailto:tmo@tubbatahareefs.org)  
Website: [tubbatahareefs.org](http://tubbatahareefs.org)  
Facebook: @OfficialTubbataha  
Instagram: @tubbatahareefs

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 **TAB Rules of Procedure, Draft, July 2023.docx**  
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