



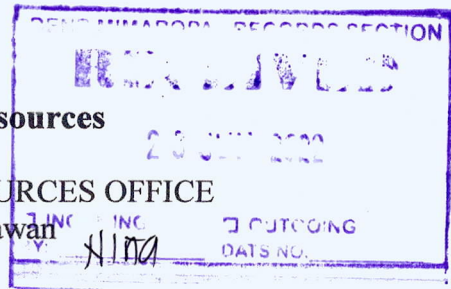
Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region

PROVINCIAL ENVIRONMENT AND NATURAL RESOURCES OFFICE

Bgy. Sta. Monica, Puerto Princesa City, Palawan

Telfax No. (048) 434 - 8791

Email Add: penropalawan@denr.gov.ph



June 14, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR MIMAROPA Region
1515 L&S Bldg., Roxas Blvd.
Ermita, Manila

FROM : Provincial Environment and
Natural Resources Officer

SUBJECT : **RE; PAYMENT OF ANNUAL GOVERNMENT SHARE OF
DIWARAN RESORTS PHILIPPINES, INC. AT DIWARAN
ISLAND, BARANGAY MARCILLA, CORON, PALAWAN**

Respectfully forwarded the memorandum of CENRO Coron, Palawan dated June 9, 2022 relative to the above subject.

Per memorandum, Diwaran Resorts Philippines, Inc. located at Diwaran Island, Brgy. Marcilla, Coron, Palawan has not paid the Annual Government Share since the issuance of FLAgT on May 26, 2010 at the amount of 2,064,375.00 per annum.

Further, records shows that the proponent has not submitted their response on the Show Cause Order/Notice of breach dated November 8, 2021 of non-payment of said AGS issued by regional Executive Director Maria Lourdes G. Ferrer, CESO III.

For information and further instruction.

Copy Furnished:
CENRO Coron, Palawan
<cenrocoron@denr.gov.ph>
KVE/MES Doc. No. 2022-5061

FELIZARDO B. CAYATOC

**DENR PENRO
PALAWAN RECORDS
RELEASED**

BY: _____
DATE: JUN 15 2022 22-1491



R4B PENRO Palawan <penropalawan@denr.gov.ph>

Payment of Annual Government Share of Diwaran Resorts Philippines Inc at Diwaran Island Brgy Marcilla Coron Palawan

1 message

R4B CENRO Coron <cenrocoron@denr.gov.ph>
To: R4B PENRO Palawan <penropalawan@denr.gov.ph>

Thu, Jun 9, 2022 at 4:21 PM

Good day!
Please see attached files.
Kindly acknowledge upon receipt.
Thank you!

Sincerely,

ARNOLDO A. BLAZA JR
Community Environment and Natural Resources Officer
CENRO - CORON
Bgy. Pob. 5, Coron, Palawan, 5316

DENR PENRO
PALAWAN RECORDS
RECEIVED
BY: 
DATE: 06-10-2022 22:50ce1

2 attachments

-  **Payment of Annual Government Share of Diwaran Resorts Philippines Inc at Diwaran Island Brgy Marcilla Coron Palawan.pdf**
3192K
-  **Letter to Mr. Alexander Reyes re Demand of Payment of Annual Government Share of Diwaran Resorts Philippines Inc at Diwaran Island.pdf**
1160K



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office
Barangay 5, Calamianes Island, Coron, Palawan
Telephone No. +63 917 504 2633
E-mail: cenrocoron@denr.gov.ph Website: www.denr.gov.ph

MEMORANDUM

FOR : The Provincial Environment and
Natural Resources Officer
Bgy. Sta. Monica, Puerto Princesa City

FROM : The Community Environment and
Natural Resources Officer

SUBJECT : **RE; PAYMENT OF ANNUAL GOVERNMENT SHARE OF
DIWARAN RESORTS PHILIPPINES, INC. AT DIWARAN
ISLAND, BARANGAY MARCILLA, CORON, PALAWAN**

DATE : June 9, 2022

This is in compliance to your instruction thru messenger received today (June 9, 2022) requiring this office to submit report on the payment of Annual Government Share (AGS) of Diwaran Resorts Philippines, Inc. of Diwaran Island, Barangay Marcilla, Coron, Palawan.

Please be informed that base on our office records Diwaran Resort Philippines, Inc. has not paid the AGS since the issuance of FLAGT on May 26, 2010 at the amount of Php. 2,064,375.00 per annum.

Records also show that the proponent has not submitted their response on the Show Cause Order/Notice of Breach dated November 8, 2021 of non-payment of said AGS issued by the Regional Executive Director Maria Lourdes G. Ferrer, CESO III till this writing (*Show Cause Order/Notice of Breach is hereto attached*).

Again, attached herewith is the letter of Demand of Payment dated June 8, 2022 issued to the proponent to pay the said Annual Government Share as provided in DAO 2004-28 as amended by DAO 2021-02.

For information and record.

JEFFREY C. CASTRO
Forester II
(In-charge Office of the CENRO)





**SUBJECT : MONITORING AND ASSESSMENT RESULT ON THE
PERFORMANCE OF FOREST LAND USE AGREEMENT
FOR TOURISM PURPOSES (FLAgT) NO. 09-2010 ISSUED
ON MAY 26, 2010 LOCATED IN DIWARAN ISLAND,
BARANGAY MARCILLA, CORON, PALAWAN**

SHOW-CAUSE ORDER/NOTICE OF BREACH

TO : ALEXANDER R. REYES
Attorney-In-Fact
19 Loja St., Vista Verde Executive Village
Imelda Ave., Cainta, Rizal

Pursuant to the provisions of *DAO No. 2004-28* dated August 25, 2004 and *DAO 2009-16* dated November 25, 2009, it is the policy of the State to promote, encourage, provide equitable access to forestland and resources, and develop tourism as a major national activity in which private sector investment, effort and initiative are fostered and supported.

The government shall allow qualified persons to occupy, develop, utilize and sustainability manage forestlands for tourism purposes.

Based on the monitoring conducted on November 18, 2020 by the CENRO Coron, Palawan Monitoring and Assessment Team, their findings disclose that you failed to:

1. *Submit the required Annual Report/s to the DENR; and*
2. *Pay the required Annual Government Share since 2010.*

In *FLAgT No. 09-2010* issued in the name of *Diwaran Resorts Philippines, Inc.,* as Attorney-In-Fact of said corporation, you expressly agreed to the following:

1. *Item IX-payment of an annual Government Share of Two Million Sixty Four Thousand Three Hundred Seventy Five Pesos (Php2,064,375.00);*
2. *Item No. XX- submission of an Annual Report showing developmental activities undertaken within the FLAgT Area in accordance with the approved Comprehensive Development Management Plan (CDMP); and,*
3. *Item No. XXII (a) - any violation of the terms and conditions, or failure to comply with the obligations stipulated in the contract will constitute grounds for the termination or cancellation of the FLAgT.*

In Item No. XXIII, it is provided that "*In the event the **FIRST PARTY** determines that any of the grounds in Item No. XXII exists, a notice of breach shall be sent to the **SECOND PARTY** giving the latter at least fifteen (15) calendar days to submit a written explanation. Before any termination is resorted to, the parties shall meet and exert best efforts to resolve the dispute, except when the grounds refer to items (b) and (c). The **SECOND PARTY** shall be given reasonable time within which to remedy the breach or to implement the agreed remedial*

WHEREFORE, the following are hereby ordered, within thirty (30) days upon receipt hereof:

1. To **SUBMIT** your written explanation under oath why FLAgT No. 09-2010 issued in the name of Diwaran Resorts Philippines, Inc. shall not be cancelled for non-compliance with the terms and conditions set forth in the contract;
2. To **SUBMIT** the required Annual Reports required in Item No. XX; and,
3. To **PAY** the Annual Government Share since 2010.

Failure to comply thereto will result in the cancellation of FLAgT No. 09-2010 and the filing of other appropriate charges, if necessary.

SO ORDERED.

Issued this NOV 08 2021 in the City of Manila, Philippines.


MARIA LOURDES G. FERRER, CESO III



Copy furnished

*PENRO Palawan
Brgy. Sta. Monica, Puerto Princesa City, Palawan*

*CENRO Coron
Brgy. Poblacion V, Coron, Palawan*



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office
Barangay 5, Calamianes Island, Coron, Palawan
Telephone No. +63 917 504 2633
E-mail: cenrocoron@denr.gov.ph Website: www.denr.gov.ph

June 8, 2022

MR. ALEXANDER R. REYES

Attorney-In-Fact

19 Loja St., Vista Verde Executive Village
Imelda Ave., Cainta Rizal

**SUBJECT : DEMAND OF PAYMENT OF ANNUAL GOVERNMENT
SHARE OF DIWARAN RESORT PHILIPPINES, INC.
FROM 2010-2022**

This is to inform you that base on records kept in this office, Diwaran Resorts Philippines, Inc. has not paid the Annual Government Share of Php. 2,064,375.00 per annum since issuance of FLAGT.

Paragraph IX of your FLAGT Agreement states that, "*The **SECOND PARTY** shall pay the Annual Government Share of Php. 2,064,375.00 per annum.*"

Likewise, **Paragraph X** also state that "*The Annual Government Share shall be paid by the **SECOND PARTY** without need of demand within the same month that this agreement is issued. In case of failure to pay the Annual Government Share on the due date, the **SECOND PARTY** shall pay additional charges of 8.33% per month delay.*"

In this, our office hereby requiring you to pay the total amount of Php.49,545,000.00 representing the Annual Government Share from 2010 to 2022 including additional charges of 8.33% per month of delay or 100% per annum as provided for in DAO 2004-28 as amended by DAO 2021-02.

Failure on your part to pay said Annual Government Share including the surcharges fifteen (15) days upon receipt hereof may constitute the basis of the cancellation of your Forest Land Use Agreement for Tourism Purposes bearing FLAGT No. 09-2010.

We hope that you are properly informed.

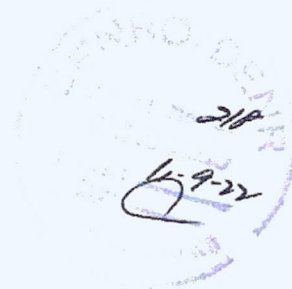
Very truly yours,

For and in the absence of the CENRO

JEFFREY C. CASTRO

Forester III

(In-charge Office of the CENRO)



Copy furnished:



Republic of the Philippines
Department of Environment and Natural Resources
Community Environment and Natural Resources Office
Barangay 5, Calamianes Island, Coron, Palawan
Telephone No. +63 917 504 2633
E-mail: cenrocoron@denr.gov.ph Website: www.denr.gov.ph

June 8, 2022

MR. ALEXANDER R. REYES

Attorney-In-Fact

19 Loja St., Vista Verde Executive Village
Imelda Ave., Cainta Rizal

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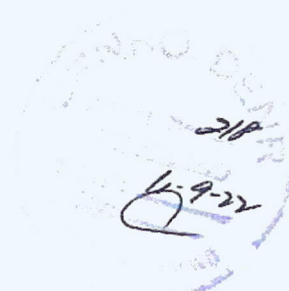
Very truly yours,

For and in the absence of the CENRO

JEFFREY C. CASTRO

Forester VI

(In-charge Office of the CENRO)



Copy furnished: