



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



October 04, 2022

MEMORANDUM

FOR : The Regional Executive Director
DENR-MIMAROPA Region
1515 L and S Bldg., Roxas Boulevard,
Ermita, Manila

THRU : The OIC, ARD for Technical Services

FROM : The Provincial Environment and Natural Resources Officer

SUBJECT : AFFIDAVIT OF UNDERTAKING WITH PRAYER FOR RELEASE
AND TEMPORARY CUSTODY OF MOTORBANCA OF MR.
RANDY S. ENCELA REPRESENTED BY LAILA S. ENCELA

Respectfully forwarded is the memorandum of CENRO Taytay, Palawan dated September 19, 2022 relative the above subject.

Per memorandum, the PAMO-ENTMRPA conducted administrative hearing dated August 30, 2022 on the apprehended one (1) unit of fishing vessel named "Amy Feh 2" caught in the act of illegal fishing activity within the jurisdiction of the Protected Area last August 05, 2022.

The boat owner Mr. Randy Encela is requesting for the release and temporary custody of his motorbanca thru affidavit of undertaking dated August 30, 2022 duly signed by Ms. Laila San Felipe Encela as Attorney-in-fact. Further, CENRO Taytay will submit the final report including the subject undertaking once the documentation activities completed.

For information and further instruction.

Copy Furnished
CENRO Taytay, Palawan
File/2022-012ACG/MES Doc. Ref. No. 2022-8673


FELIZARDO B. CAYATOC

DENR-PALAWAN
PENRO-RECORDS
RELEASED
By 12hea
Date: 06 OCT 2022 CN 2022-2627



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
COMMUNITY ENVIRONMENT AND NATURAL RESOURCES OFFICE
By the National Highway, Poblacion, Taytay, Palawan 5312
Mobile: 0926-505-9335 TM 0912-171-3889 TNT
Email: cenrotaytay@denr.gov.ph

September 19, 2022


MEMORANDUM

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

FROM : The Community Environment and
Natural Resources Officer
Taytay, Palawan

SUBJECT : **AFFIDAVIT OF UNDERTAKING WITH PRAYER FOR RELEASE
AND TEMPORARY CUSTODY OF MOTORBANCA OF MR.
RANDY S. ENCELA REPRESENTED BY LAILA S. ENCELA**

**DENR PENRO
PALAWAN RECORDS
RECEIVED**


BY: 
DATE: 09-21-2022 CN 22-8673

Respectfully forwarding is the memorandum dated September 13, 2022 from Protected Area Superintendent (PASu) Mildred A. Suza relative to the above subject.

Please be informed that the PAMO-ENTMRPA conducted administrative hearing dated August 30, 2022 relative to the apprehended one (1) unit of fishing vessel named "Amy Feh 2" caught in the act of illegal fishing activity within the jurisdiction of ENTMRPA last August 5, 2022. Mr. Randy Encela (boat owner) is requesting for the release and temporary custody of his motorbanca.


Further, this Office will submit the final report including this affidavit of undertaking once documentation was completed.

For information, record and further instruction.


ALAN B. VALLE

cc: *The PASU*
ENTMRPA-PAMO

**DENR CENRO
TAYTAY, PALAWAN
RELEASED**

BY: 
DATE: SEP 21 2022 CN 2715



Republic of the Philippines
Department of Environment and Natural Resources
MIMAROPA Region
Community Environment and Natural Resources
EL NIDO-TAYTAY MANAGED RESOURCE PROTECTED AREA
Calle Real, Barangay Masagana, El Nido, Palawan 5313
Contact No. Landline (048-716-0674)
Email: denrpao_elnidopal@yahoo.com / entmrpa@gmail.com

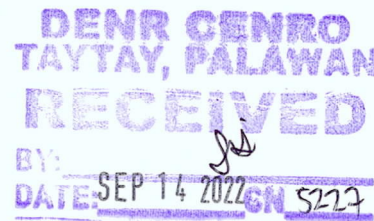
September 13, 2022

MEMORANDUM

FOR : The Community Environment and Natural Resources Officer
Taytay, Palawan

FROM : The Protected Area Superintendent
El Nido-Taytay Managed Resource Protected Area

SUBJECT : AFFIDAVIT OF UNDERTAKING WITH PRAYER FOR RELEASE AND TEMPORARY CUSTODY OF MOTORBANCA OF MR. RANDY S. ENCELA REPRESENTED BY MS. LAILA S. ENCELA

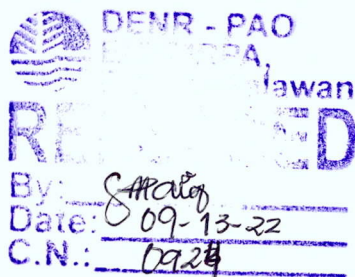


Respectfully forwarding is the above subject with attached letter for consideration as first offense and special power of attorney of Ms. Laila S. Encela as representative of Mr. Randy S. Encela.

Please be informed that on August 30, 2022, this Office conducted the administrative hearing at ENTMRPA-PAMO Conference Hall, Barangay Masagana, El Nido, Palawan relative to the apprehended fishing vessel named "Amy Feh 2" caught in the act of illegal fishing activity within the jurisdiction of ENTMRPA. The said fishing vessel was owned by Mr. Randy S. Encela, hence, he is requesting that a consideration will be given as this was a first offense committed by his boat captain and crew. He is also requesting in his affidavit of undertaking the release and temporary custody of his motorbanca.

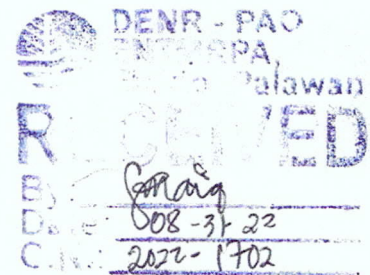
The course of hearing will be submitted as soon as the documentation was completed and the above mentioned documents will also be attached in the final report.

For information and further instruction.




MILDRED A. SUZA

REPUBLIC OF THE PHILIPPINES)
PROVINCE OF PALAWAN)
MUNICIPALITY OF EL NIDO)



AFFIDAVIT OF UNDERTAKING
with Prayer for Release and Temporary Custody of Motorbanca

I, **RANDY SAN FELIPE ENCELA**, of legal age, Filipino, married, with residence and postal address at Brgy. Mandaragat, Puerto Princesa City, Palawan, represented by his Attorney-in-fact **LAILA SAN FELIPE ENCELA**, of legal age, Filipino, single, with residence and postal address at Sorillo Street Poblacion, Taytay, Palawan, by virtue of "Special Power of Attoreny" executed on August 24, 2022, at Puerto Princesa City, and duly notarized by Notary Public Atty. Francis Rainer B. Umali as Doc. No. 01, Page No. 02, Book No. VIII, Series of 2022, after having been sworn to in accordance with law, hereby state:

1. That I am the registered owner of a motorbanca named "FEH AMY 2" a passenger vessel;
2. That the said motorbanca is now under custody of the Protected Area Management Office of the El Nido-Taytay Managed Resource Protected Area (ENTMARPA), for having been apprehended on for violation of the existing laws and regulations of the Protected Area;
3. That the motorbanca is being used primarily for island hopping activities. It was used occasionally for fishing especially during the outbreak of the deadly Covid-19 virus;
4. The use of the fishnet in catching small squid locally known as "pusit ball pen" is in good faith. We honestly believe that the method is allowed in the municipal waters of El Nido because it is popular method used in the Municipality of Linapacan, Palawan;
5. That I am requesting to the good officers for temporary release and under my temporary custody of the said motorbanca and to bring the said motobanca to court if ordered by the competent authority and promise not to dispose of/deliver/assigned/waive/mortgage the same at any time during the investigation and pendency of the complaint;
6. That I undertake not to use our motorbanca ever again in catching small squid using fishnet within the municipal waters of El Nido;
7. The motorbanca and its accessories on board are in danger of being dissipated or destroyed for lack of daily maintenance taking into consideration the delay to be incurred in the proceedings of the investigation of the incident;
8. This Affidavit is executed to attest to the truthfulness of the foregoing facts and to request the Office of the Protected Area Management Office (PAMO) of El Nido-Taytay Managed Resource Protected Area (ENTMARPA) to release the seized motorbanca and its accessories with the undertaking not to commit the same act as complained of.

IN WITNESS WHEREOF, I have hereunto affixed my signature this 30th day of August, 2022 in El Nido, Palawan.

*Affidavit of Undertaking with Prayer for Release of Motorbanca
Randy San Felipe Encela*

x-----x

RANDY SAN FELIPE ENCELA
Affiant

Represented by:


LAILA SAN FELIPE ENCELA
Attorney-in-fact

SUBSCRIBED AND SWORN to before this 30th day of August, 2022 personally LAILA SAN FELIPE ENCELA who have satisfactorily proven to me her identity through her Unifie Multi-Purpose Identification card with CRN-006-0089-1189-4, issued by the Republic of the Philippines, known to me to be same person who executed the foregoing affidavit and he acknowledged before me that the same is his free act and deed;



Atty. OLEGARIO S. CAYETANO JR.
Notary Public

Until December 31, 2022

PTR No. 0889449, 01/04/2022, PALAWAN

IBP No. 175160, 01/10/2022, PALAWAN

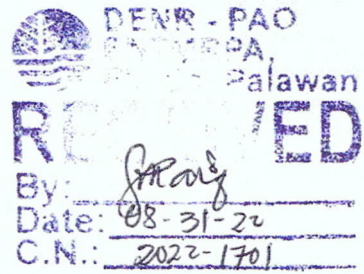
ATTORNEY'S ROLL NO. 41250

MCLE COMPLIANCE NO. VII- 0022235, 06/23/2022

Doc. No. 4,368
Page No. 101
Book No. XXXIX
Series of 2022

AUGUST 31, 2022

MS. MILDRED X. SUZA
PROTECTED AREA SUPERINTENDENT



SUBJECT: ILLEGAL FISHING [MRCA FEH Amy II]

MADAM,

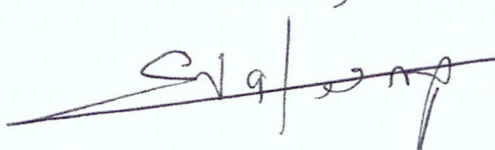
GREETINGS !!

TO START THIS LETTER, WE WOULD LIKE TO EXPRESS
OUR GRATITUDE FOR YOUR FULL SUPPORT AND GUIDANCE
DURING THE HEARING.

SECONDLY, WE MADE THIS LETTER TO HUMBLY
REQUESTING A CONSIDERATION FROM YOUR END
AS THIS IS FIRST OFFENSE AND THE VIOLATION
COMMITTED BY THE SAID BOAT WAS OUT OF
MY KNOWLEDGE.

TO END, THANK YOU VERY MUCH AND LOOKING
FORWARD FOR POSITIVE OUTCOME.

SINCERELY,


RANDY S. ENCERA
BOAT OWNER
09266033390

Republic of the Philippines)
Province of Palawan)S.s.
City of Puerto Princesa)

SPECIAL POWER OF ATTORNEY

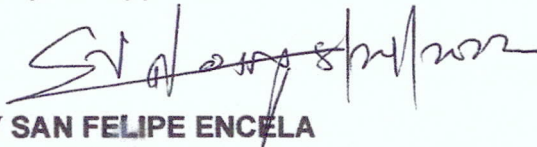
KNOW ALL MEN BY THESE PRESENTS:

I, **RANDY SAN FELIPE ENCELA**, of legal age, married, Filipino, and a resident of Bgy. Mandaragat, Puerto Princesa City, do hereby NAME, CONSTITUTE and APPOINT, **LAILA SAN FELIPE ENCELA**, of legal age, single, Filipino and a resident of Bgy. Poblacion, Taytay, Palawan, to be my true and lawful attorney-in-fact, to act for me and in my stead, to do and perform the following special powers:

1. To prosecute or defend against any civil, criminal or administrative action filed or pending before any judicial or quasi-judicial bodies in relation to a passenger vessel named MBca "FEH AMY 2";
2. To appear on my behalf in such proceedings until its termination, and enter into an amicable settlement with any adverse private party or government agency with regards to the abovementioned passenger vessel;
3. To prepare, cause the preparation of, sign, execute, and receive and deliver any pleading, motion, agreement, order or decision relative to the aforementioned acts
4. To make payments of fees taxes, penalties or any other expenses necessary for the performance of the aforementioned authority.

HEREBY GIVING AND GRANTING unto said Attorney-in-Fact full powers and authority to do and perform full and all and every act requisite, necessary and incidental thereto, to carry into effect the foregoing authority, as fully to all intents and purposes as we might or could lawfully do if personally present, with full power of substitution and revocation, and hereby ratifying and confirming all that my said attorney or her substitute shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF, I have hereunto set my signature this 24th day of August 2022 at Puerto Princesa City, Philippines.



RANDY SAN FELIPE ENCELA


Affiant

D11-18-004752

Issued at: Puerto Princesa City

SIGNED IN THE PRESENCE OF:

 AILENE G. BRAGAÏS

 KRISTAL KAYE D. ZOSA

ACKNOWLEDGMENT

Republic of the Philippines)
Province of Palawan)S.s.
Puerto Princesa City)

BEFORE ME this 24th day of August 2022 in Puerto Princesa City, Palawan, personally appeared the above-named Principal, **RANDY SAN FELIPE ENCELA**, together with her witnesses, exhibiting his competent proof of identification, the details of which are indicated beneath his name and signature above, who is known to me to be the same person who executed this Special Power of Attorney, consisting of two (2) pages, including the page where this acknowledgment is written, and acknowledged that the same is his voluntary act and deed.

WITNESS MY HAND AND SEAL on the place and at the date above given.

FRANCIS RAINIER B. UMALI

Notary Public

NPL No. 2022-015

Until 31 December 2023

Attorney's Roll No. 65005

PTR No.: 0889470 06 January 2022

IBP No. 157184 05 January 2022

MCLE Comp No. VI-0016112

Issued on: 7 December 2018

Doc No.01;
Page No.02;
Book No. VIII;
Series of 2022



Kgosa