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JOINT MEMORANDUM CIRCULAR NO. 01Series of 2020

**SUBJECT: RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS IN THE PHILIPPINES**

This Joint Memorandum Circular is issued pursuant to the provisions of Republic Act No. 9147- Wildlife Resources Conservation and Protection Act, Republic Act 7586 - National Integrated Protected Areas System of 1992 as amended by Republic Act 11038, Republic Act No. 8550 – The Philippine Fisheries Code of 1998 as amended by Republic Act No. 10654, Republic Act No. 9593 – The Philippine Tourism Act of 2009, and Republic Act 7160 - Local Government Code.

This Circular is in compliance with the Convention on the Conservation of Migratory Species of Wild Animals (CMS) Resolution 12.23 adopted during the 12<sup>th</sup> CMS Conference of Parties in Manila on October 2017. The Resolution urged Parties to adopt appropriate measures such as national action plans, regulations and codes of conduct, binding protocols or additional legal frameworks and legislation, aimed in ensuring that tourism activities do not negatively affect species populations anywhere within their migratory range and at the same time do not pose risk to human health and well-being.

**BACKGROUND**

WHEREAS, the Philippines is a biologically diverse country with highly threatened marine species that require national protection;

WHEREAS, threatened marine species are protected in the Philippines primarily through RA 9147 and RA 8550 as amended by RA No. 10654;

WHEREAS, environmental protection and biodiversity conservation are among the tourism objectives under RA 9593;

WHEREAS, in response to an increase in domestic and international tourists, local government units are permitting the development of tourism activities in sensitive habitats that are home to threatened marine wildlife;

WHEREAS, unregulated tourism and wildlife interaction may cause serious long-term damage to marine wildlife and associated habitats, and may compromise the safety of communities, tour operators, and tourists;

WHEREAS, ecotourism, if developed properly, has the potential to serve as a source of income to local communities, promote conservation, and protect biodiversity;

WHEREAS, marine wildlife interaction is a specialized form of tourism which requires special planning, development, operations, procedures, regulations, and training to ensure its sustainability;

WHEREAS, current oversight of marine wildlife tourism interaction is minimal, and the creation and implementation of a unified policy and comprehensive national guidelines

that would regulate marine wildlife tourism interaction are essential to preserve marine life and sensitive marine habitats in the Philippines;

WHEREAS, the DOT, the DA, the DILG and the DENR have their respective mandates in the use, protection, and conservation of natural resources for the sustainable future of the country;

NOW THEREFORE, this Circular is hereby prescribed by the undersigned Departments for the information, guidance, and compliance of all concerned

## CHAPTER I. PRELIMINARY PROVISIONS

### Section 1. Policy

- 1.1 The Rules and Regulations governing the conduct of marine wildlife tourism interactions are hereby created;
- 1.2 Tourism activities involving marine wildlife shall not inhibit the natural behavior of such marine wildlife nor adversely affect the associated habitat, and shall minimize any disturbance of or impacts on such animals and habitat;
- 1.3 When not enough information is available on the effects of tourism on marine wildlife, the precautionary principle shall be applied;

**Section 2. Scope of Application.** This Circular shall apply to all marine wildlife tourism activities occurring in natural marine habitats in the Philippines. Interactions involving permitted semi-captive or fully-captive marine animals, and activities involving scientific research conducted by government offices, non-governmental organizations, educational institutions, or individuals shall be subject to Guidelines issued by concerned government agencies.

### Section 3. Objectives

- 3.1. To ensure that tourism interactions does not adversely affect marine wildlife behavior and/or population; disturbance shall be minimized, if not eradicated in pursuing sustainable tourism;
- 3.2. To ensure the safety of the tourists and tour operators during all marine wildlife tourism activities;
- 3.3. To enhance the marine wildlife tourism and interaction experience of tourists;
- 3.4. To promote responsible and sustainable marine wildlife tourism and interaction practices; and
- 3.5. To identify dedicated marine wildlife tourism sites in the Philippines and accredit tourism-related enterprises operating therewith.

**Section 4. Definition of Terms.** As used in this Circular, the following terms are defined as indicated below:

- 4.1. *Accreditation* - refers to a certification issued by the DOT to a tourism enterprise that officially recognizes it as having complied with the minimum standards for the

- operation of tourism facilities and services;
- 4.2. *Aircraft* - any manned or unmanned vehicle and device (including drones) capable of flight;
  - 4.3. *Dedicated Interaction* - refers to tours that are primarily focused on interaction with marine wildlife and occurs in one of the Dedicated Interaction Sites listed in Annex I;
  - 4.4. *Dedicated Interaction Sites/Areas* - are well defined areas for marine wildlife tourism, either managed as a sanctuary/ reserve/ protected area or not, focused on a particular species or several species, with specified operating times. A list of Dedicated Interaction Sites/ Areas identified and to be updated periodically by the agencies is attached hereto as Annex I;
  - 4.5. *Disturbance* – refers to any intentional and unintentional acts that disrupt the natural cycle, behavior, and activities of marine wildlife for the short or long-term without necessarily causing any physical injury to the same such as but is not limited to acts producing noise, pollution, degradation of habitat, blockage of movement, displacement, and the like and/ or those prohibited acts enumerated under Part III, Section 4 of this Circular;
  - 4.6. *Ecotourism* –refers to a form of sustainable tourism within a natural and/or cultural heritage area where community participation, protection and management of natural resources, culture and indigenous knowledge, and environmental education and ethics are balanced with economic objectives and benefits to enrich the host community and satisfy tourists;
  - 4.7. *Harassment* - refers to any intentional acts or activities that are detrimental to the survival and welfare of marine wildlife and/ or marine habitat and/or those prohibited acts enumerated under Part III, Section 4 of this Circular;
  - 4.8. *Maltreatment* - refers to acts that would hinder an animal's health, reproduction, movement, comfort, nourishment, and safety; including its ability to express innate behavior; and acts which creates situations where the animal could suffer from unpleasant states such as pain, injury, fear, and distress including omission of action which subject animals to foreseeable danger and harm and/or those enumerated prohibited acts under Part III, Section 4 of this Circular;
  - 4.9. *Marine Wildlife* – refers to large marine vertebrates that are typically slow to reproduce, and are therefore susceptible to population depletion, including, but is not limited to, the following taxonomic groups: Elasmobranchs (sharks, rays, and skates), Cetaceans (dolphins, whales, and porpoises), Sirenians (dugong), and Chelonids (marine turtles) and leatherback. Sharks, by definition under the National Plan of Action - Sharks, include true sharks (sharks), winged sharks (rays), and silver sharks (chimaeras). A list of current species affected is attached hereto as Annex II and incorporated by reference herein;
  - 4.10. *Non-dedicated Interaction* –refers to the opportunistic, accidental or unintentional interaction with marine wildlife occurring anywhere else other than the Dedicated Interaction Sites (tourism or non-tourism sites);
  - 4.11. *Offender* – Any person who committed the prohibited acts as enumerated in Section 8 herein, or committed any similar acts that disturb, harass, maltreat marine wildlife and acts detrimental to the wellbeing of marine wildlife.
  - 4.12. *Precautionary Principle* –refers to a process wherein conservational actions must be undertaken where there are possibilities of serious or irreversible effects to marine

wildlife and their habitat even if there are scientific uncertainties.

- 4.13. *Sea Vessel* – refers to a motorized or non-motorized boat or banca of 20 gross tonnages (GRT) and below engaged in providing water transport services for dedicated interactions with marine wildlife for tourists.
- 4.14. *Threatened species* – refers general term to denote species or subspecies considered as critically endangered, endangered, vulnerable or other accepted categories of wildlife whose population is at risk of extinction, as may be defined under RA No. 10654 and RA No. 9147, e.g., certain species and plants listed by the International Union for Conservation of Nature (IUCN) and as determined by the Secretary of the DENR and/or Secretary of the DA to be critically endangered, endangered, vulnerable or other accepted categories based on the best scientific data and with due regard to internationally accepted criteria.
- 4.15. *Tourism interaction* – refers to any recreational, educational, or entertainment activities that involve the observation of, or interaction with, unconfined marine wildlife in their natural habitat, including, but is not limited to, observing the animal on the surface of the water or from land or air and in-water observation through snorkeling, skin diving, or SCUBA diving.

## **CHAPTER 2. RULES AND REGULATIONS GOVERNING THE CONDUCT OF MARINE WILDLIFE TOURISM INTERACTIONS**

### **Section 5. General Considerations**

The following rules and regulations shall govern all conduct of all dedicated interactions with marine wildlife in the Philippines. Emerging and potential interaction sites shall likewise be covered under this Circular. The regulations described herein apply equally to individual animals and animals in groups or aggregations. Aggregations of a single species or several species shall be considered as one unit. Specific procedures may apply to certain species.

- 5.1. SCUBA divers, snorkelers, skin divers, sea vessels, tour operators, local government units and all others who wish to engage in marine wildlife tourism interactions shall follow national and international trade safety standards;
- 5.2. The Green Fins Code of Conduct for diving and snorkeling shall be used as a standard, especially for acts not yet addressed in this Circular;
- 5.3. Air and water pollutants emitted from any vehicles or sea vessels shall be minimized;
- 5.4. Best efforts shall be made to protect the ecological integrity of marine wildlife habitats;
- 5.5. Educational information including, but are not limited to, marine wildlife conservation, biology, ecology, behavior, threats and the potential effects of the interaction on them shall be provided to the tourists before any interaction is conducted through a dedicated briefing or interpretation program;
- 5.6. Other activities in dedicated marine wildlife interaction areas, including non-tourism activities shall be regulated and restricted;
- 5.7. All dedicated interactions shall be consistent with existing local and national

conservation regulations, rules, and policies;

- 5.8. If conducted within a Protected Area, it should adhere to the management prescriptions under the Protected Area Management Plan and duly coordinated with its Protected Area Management Board;
- 5.9. The marine wildlife interaction zones described in Part III, Section 2 of this Circular shall be established; and
- 5.10. Scientific research on marine wildlife and their habitat and the tourism activity shall be implemented by the management authorities and their partners, which includes, but are not limited to, conducting visitor's surveys, documenting sightings, and assessing the welfare of the targeted species.

**Section 6. Establishment of Zones.** The following zones shall be established for all marine wildlife interaction areas, and as graphically shown in Annex II herein:

- 6.1. No Approach and No Interaction Zones – The No Approach and No Interaction Zones include the area within the minimum distance of marine wildlife as prescribed herein for each specific activity. The No Approach and No Interaction Zone include the space directly above and beneath the marine wildlife, and the area formed by the 60° arc in front of and behind the animal or group of animals, using the outermost animals as a reference. No Approach and No Interaction Zones are strictly off limits to sea vessels, aircraft, and persons at all times;
- 6.2. Interaction Zone – The Interaction Zone extends to any location where recreational, educational, or entertainment activities occur that involve the observation of, or interaction with, unconfined marine wildlife in their natural habitat, including, but are not limited to, observing the animal from a sea vessel, land or air, and in-water observation through snorkeling, skin diving, or using SCUBA;
- 6.3. Waiting Zone - The Waiting Zone includes any area immediately adjacent to the Interaction Zone. The Waiting Zone, typically, shall be used as a location for sea vessels and persons to gather while waiting for their turn to interact.

## **Section 7. Code of Conduct within the Zones**

### **7.1. General Code of Conduct**

- 7.1.1. Noise shall always be at a minimum especially for engines, equipment, devices, and water entry (no splash);
- 7.1.2. If the marine wildlife approaches the person or the sea vessel, the same shall maintain the minimum distance by slowly moving away from the marine wildlife;
- 7.1.3. If aggressive behavior is exhibited by the marine wildlife or if the marine wildlife evades the sea vessel/person continually, the interaction shall cease and the sea vessel/person shall move back to the Waiting Zone or beyond;
- 7.1.4. If there is imminent danger to any marine wildlife and/or person, the sea vessel engine shall be shut off, persons in the water shall return to the sea vessel and the interaction with the marine wildlife shall be aborted;

- 7.1.5. Any marine wildlife in distress shall be assessed only by an authority on board the sea vessel (e.g., guides, Protected Area management representative, species expert). The incident shall be immediately reported to the proper authorities for further instructions;

## 7.2. For Sea Vessels

- 7.2.1. The Interaction Zone is 200 meters wide and starts from the No Interaction Zone boundary. The maximum number of sea vessels prescribed herein shall be maintained within that zone at all times. Any other sea vessels in the vicinity shall stay in the Waiting Zone (300 meters from the No Interaction Zone) or beyond and shall wait interacting sea vessel/s to finish with their interactions;
- 7.2.2. The maximum duration of the interaction prescribed herein shall be maintained, especially if other sea vessels are waiting for their turn to interact. Viewing shall be maintained parallel to the marine wildlife;
- 7.2.3. Constant communication among sea vessel operators and guides shall be employed within the Interaction and Waiting Zones.

## 7.3. For Person In-water

- 7.3.1. The Interaction Zone is 30 meters wide and starts from the No Interaction Zone boundary. The maximum number of persons prescribed herein shall be maintained within that zone at all times. Any other persons in the vicinity shall stay in the Waiting Zone (100 meters from the No Interaction Zone) or beyond and shall wait for the ones ahead to finish with their interaction;
- 7.3.2. The maximum duration of the interaction prescribed herein shall be maintained, especially if other persons are waiting for their turn to interact. Viewing shall be maintained parallel to the marine wildlife at all times. All sea vessels shall position themselves within the boundary of the Waiting Zone.

**Section 8. Prohibited Acts in Dedicated Interactions Sites** – The following acts disturb, harass, and maltreat marine wildlife and degrade their habitats, hence, are not allowed:

- 8.1. Any provocative act including, but is not limited to, teasing, chasing, playing, and aggressive pursuit of marine wildlife;
- 8.2. Any method designed to attract marine wildlife, including, but is not limited to, splashing, creating bubbles, noisemaking (with plastic bottles or other methods), using light from any artificial source, and use of chemicals;
- 8.3. Provisioning or the use of any methods designed to attract marine wildlife using food (artificial or natural), including, but not limited to, luring, baiting, chumming, and feeding;
- 8.4. Any physical contact, including touching or handling, or attempted touching or handling, of marine wildlife;
- 8.5. Riding and stepping on, or attempting to ride or step on, any marine wildlife;
- 8.6. Blocking and/or crossing the path of marine wildlife;

- 8.7. Positioning oneself directly below or above marine wildlife;
- 8.8. Approaching marine wildlife directly from the front or back;
- 8.9. Any method intended or likely to divide a group, school, or pod of marine wildlife;
- 8.10. Any method that would corner or entrap marine wildlife;
- 8.11. Any form of interaction with pregnant marine wildlife or one in the process of giving birth or mating, or a group consisting of un-weaned animals with their mothers;
- 8.12. Any interaction with a nesting marine turtle before it starts laying eggs;
- 8.13. Any intentional in-water interaction with cetaceans;
- 8.14. Using SCUBA or any surface supplied air system in whale shark Dedicated Interaction Sites;
- 8.15. Underwater playback and/or broadcast of sound;
- 8.16. Using flash, strobes, and video lights;
- 8.17. Using camera poles, selfie sticks, and monopods;
- 8.18. Using jet skis and other non-regulated motorized sea vessels;
- 8.19. Using any sea vessel that is not easily maneuverable, including, but is not limited to, sailboats;
- 8.20. Using underwater motorized propulsion devices, including, but is not limited to, dive scooters, recreational submarines, drones, and remotely operated vehicle;
- 8.21. Dropping anchor;
- 8.22. Using any non-marine life friendly sunscreen, specifically those containing nanoparticles and benzophenone-2; and
- 8.23. Using any sonic underwater signaling devices or horns.

## **SECTION 9. Specific Regulations per Activity**

### **9.1. General Considerations**

- 9.1.1. Dedicated Interaction Sites Operating Hours –The following hours applicable to all Dedicated Interaction Sites shall be enforced:
  - a. All dedicated interactions in water habitats for marine mammals, whale sharks, and marine turtles shall be limited to daylight hours (i.e., sunrise to sunset);
  - b. All dedicated interactions for marine turtle during egg-laying and hatchling observations/release shall be limited to the hours between dusk and dawn.

9.1.2. Maximum Interaction Hours per Day in Dedicated Sites – The following maximum hours per day for dedicated interactions shall be enforced at the interaction area, depending on the species of marine wildlife and habitats affected:

- a. Dugong: 6 hours
- b. Cetaceans: 8 hours
- c. Whale shark: 8 hours
- d. Other sharks: 8 hours
- e. Manta Rays: 8 hours
- f. Marine turtles: 8 hours

9.1.3. Maximum Observation Time per Interaction – the following time limits for single dedicated interaction shall be enforced, depending on the species of marine wildlife and habitats affected:

- a. Dugong: 20minutes
- b. Cetaceans: 30 minutes
- c. Whale shark: 30 minutes
- d. Other sharks: 30 minutes
- e. Manta Rays: 30 minutes
- f. Marine turtle: 30 minutes

## 9.2. Land-Based Dedicated Interaction Regulations

9.2.1. The following rules apply to dedicated interactions involving observation from the shore, beach, or elevated platforms on water or on land:

- a. Sea vessels, land vehicles, and any person shall maintain a minimum distance of 20 meters from nesting marine turtle up to the time when the marine turtle starts laying eggs;
- b. A minimum distance of 1 meter is required for interaction with marine turtle nesters only after egg-laying has started;
- c. For land-based dedicated marine turtle interaction, a maximum of 6 individuals are allowed in the Interaction Zone;
- d. Interaction stops when the nesting turtle returns to the sea;
- e. Hatchlings of marine turtles from natural nests shall be left alone. Handling of marine turtle eggs and hatchlings are only allowed under supervision of the DENR and as specified in the marine turtle hatchery management procedures.

## 9.3. Aircraft Dedicated Interaction Regulations

9.3.1. The following regulations apply to dedicated interactions involving aircrafts, either manned or unmanned:

- a. The aircraft shall maintain a minimum height of 300 meters above the water surface for planes and moving aircraft, and drones while a minimum height of 500 meters for helicopters without hovering is prescribed, subject to existing regulations;



- b. The aircraft shall not maintain a position where a shadow is cast over any marine wildlife;
- c. A maximum of 5 minutes observation is allowed.

#### 9.4. Sea Vessel Dedicated Interaction Regulations

9.4.1. The following general regulations apply to dedicated interactions involving any sea vessels:

- a. Propeller guards are recommended for all sea vessels used in dedicated interactions with marine wildlife;
- b. The engine of any sea vessel shall be properly maintained for safety and reduce noise and fuel leaks.

#### 9.4.2. Minimum Sea Vessel Distance Requirements within the Interaction Zone

9.4.2.1. The following minimum distance from a sea vessel (stationary or moving) to any marine wildlife or group of marine wildlife (using the outermost animals as a reference) during any dedicated interaction shall be maintained at all times, notwithstanding the movement of the animal:

- a. Dugong: 50 meters
- b. Small cetaceans: 50 meters
- c. Large cetaceans: 100 meters
- d. Whale shark: 20 meters
- e. Other sharks: 20 meters
- f. Manta rays: 20 meters
- g. Marine turtles: 20 meters

9.4.2.2. In the event the marine wildlife actively approaches a sea vessel within the Interaction Zone, that sea vessel shall move away to maintain the minimum distance or proceed slowly and carefully to the Waiting Zone.

#### 9.4.3. Maximum Number of Sea Vessels within the Interaction Zone

9.4.3.1. The number of sea vessels within the Interaction Zone at any time shall not exceed the following:

- a. Dugong: 1 sea vessel
- b. Cetaceans: 2 sea vessels
- c. Whale shark: 1 sea vessel
- d. Other sharks: 2 sea vessels
- e. Manta rays: 2 sea vessels
- f. Marine turtles: 2 sea vessels

#### 9.4.4. Sea Vessel Movement

9.4.4.1. Sea vessels shall only approach the marine wildlife from their side. Any attempt to approach marine wildlife from its front or back is prohibited.

9.4.4.2. While underway, the direction of travel of the sea vessel shall remain parallel to the direction of travel of any marine wildlife.

- 9.4.4.3. Sea vessels shall maintain a constant speed within the Interaction Zone and refrain from sudden changes in direction and abrupt movements.
- 9.4.4.4. The maximum speed of any sea vessel within the Waiting Zone shall not exceed 15 kilometers per hour (8 knots).
- 9.4.4.5. The maximum speed of any sea vessel within the Interaction Zone shall not exceed the maximum speed of the slowest animal, but in any event, shall not exceed 5 kilometers per hour (3 knots) and shall not create a wake.
- 9.4.4.6. Communication among sea vessels within the Interaction Zone and the Waiting Zone shall be open at all times.

#### 9.4.5. In-Water Dedicated Interaction Regulations

The following regulations shall apply to any in-water dedicated interactions with marine wildlife, including, but are not limited to, SCUBA diving, surface supplied air systems, skin-diving, and snorkeling:

##### 9.4.5.1. Minimum Distance of Persons from Marine Wildlife within the Interaction Zone

The following minimum distances shall be maintained between any person and the marine wildlife or group of marine wildlife (using the outermost animals as a reference) during any dedicated interaction shall be maintained at all times, notwithstanding the movement of the animal:

- a. Dugong: 10 meters
- b. Cetaceans: no in-water activity permitted
- c. Whale shark: 3 meters from the body and 4 meters from the tail
- d. Other sharks: 5 meters
- e. Manta rays: 5 meters
- f. Marine turtles: 2 meters

Tour operators and guides shall advise tourists to move slowly away from marine wildlife if approached, avoiding sudden or quick movements when doing so.

##### 9.4.5.2. Maximum number of persons in the water per animal (excluding guides and researchers)

The number of individuals in the water with any individual animal during dedicated interaction with marine wildlife shall not exceed the following:

- a. Dugong: 4
- b. Cetaceans: no in-water activity permitted
- c. Whale shark: 10
- d. Other sharks: 10
- e. Manta rays: 10
- f. Marine turtles: 4

##### 9.4.5.3. It shall be mandatory for persons engaging in in-water interaction by snorkeling and skin diving, to wear a life jacket or personal flotation device for the entire duration of the interaction period.

9.4.5.4. It shall be mandatory for persons engaging in SCUBA diving and use of Surface Supplied Air Systems to comply with the following:

- a. No gloves may be worn at any time.
- b. Sonic signaling devices and horns are prohibited. Tank bangers and similar signaling devices shall be used sparingly or avoided totally.
- c. For non-dedicated interactions which may occur during night dives, any artificial lights, including, but are not limited to, torches, video lights, and strobes, shall not be directed at any marine wildlife.

### **CHAPTER 3. MONITORING AND IMPLEMENTATION**

#### **Section 10. Roles of the Lead Agencies**

The DOT, DILG, DENR, and DA shall be collectively known as the — Lead Agencies and shall have the following roles:

- 10.1. The DOT shall provide accreditation, where appropriate, for marine wildlife tourism sites including tour operators, guides and establishments; train site managers, tour operators, marketers, and guides on the conduct of proper marine wildlife interactions; disseminate information and encourage responsible marine wildlife tourism practices; promote marine wildlife tourism interaction. Tourism monitoring will be led by the DOT in collaboration with the other lead agencies, and appropriate institutions and individuals.
- 10.2. The DENR shall regularly monitor environmental conditions, assess the status of dugong and marine turtle populations in identified Interaction Zones using recognized scientific methods, issue Environmental Compliance Certificates (ECC) in cases of site development, disseminate educational information, encourage responsible marine wildlife tourism practices, and provide training relevant to the conservation of marine wildlife, biodiversity and their habitats. Environmental monitoring will be led by the DENR in collaboration with the other lead agencies, and appropriate institutions and individuals.
- 10.3. The DA shall monitor environmental conditions, assess the status of cetacean and elasmobranch populations in identified Interaction Zones using recognized scientific methods, disseminate educational information, encourage responsible marine wildlife tourism practices, and provide training relevant to the conservation of marine wildlife and their habitats.
- 10.4. The DILG, through its supervisory function, shall monitor and oversee Local Government Units through memoranda, guidelines, and the like, in managing and patrolling tourism activities and developments in marine wildlife interaction sites to ensure the enforcement of all these rules and regulations;
- 10.5. The lead agencies shall involve scientific or academic institutions as well as conservation groups in all the major phases of implementation of this Circular. Moreover, the lead agencies shall consult their Regional/ Field Offices, if any, on the availability of funds and manpower to do regular monitoring of tourism wildlife interaction sites.

## **Section 11. Collaboration with Other Agencies**

The Lead Agencies shall collaborate with local government units (LGUs) and other relevant agencies, including, but are not limited to, the Department of Transportation and Communications (DOTC), Maritime Industry Authority (MARINA), Air Transportation Office (ATO), Civil Aviation Authority of the Philippines (CAAP), Philippine Coast Guard (PCG), Philippine National Police (PNP), Armed Forces of the Philippines (AFP), Local Port Authorities, Philippine Commission on Sports and SCUBA Diving (PCSSD), and the Palawan Council for Sustainable Development (PCSD) among others, on the enforcement of the regulations listed herein.

## **Section 12. Activities Outside Municipal Waters**

Be it noted that any activity outside of Municipal waters shall be managed at a national level.

## **Section 13. Enforcement and Monitoring**

The enforcement of these regulations shall be carried out by the respective national government agencies and local government units where marine wildlife tourism interactions take place.

Local Government Units, through their Local Sanggunian, are enjoined to issue local ordinances and resolutions based on this Circular, within 120 days from its effectivity. The local legislation shall state the specific prohibited acts as enumerated herein, as well as provide for the penalties for its violation.

The lead agencies shall create an Inter-Agency Monitoring Team composed of representatives from the lead agencies, as well as their regional counterparts. Upon creation, the Inter-Agency Monitoring Team shall create a Monitoring Protocol for purposes of monitoring compliance with this Circular, in accordance with existing regulations.

## **CHAPTER 4. IMPLEMENTING COSTS**

The Lead Agencies shall allocate funds from their respective regular budgets, which funds shall be used for monitoring, dissemination, and promotion of these Rules and Regulations. Such funds, at all times, must be disbursed subject to existing and auditing rules and regulation. The Lead Agencies are also empowered to generate funds through appropriate measures and to receive grants and/or donations to accomplish this purpose.

## **CHAPTER 5. FINAL PROVISIONS**

### **Section 14. Repealing Clause**

All Circulars, Circulars and similar issuances inconsistent with the Rules and Regulations promulgated herein are hereby revoked, amended or modified accordingly.

### **Section 15. Separability Clause**

If, for any reason, any section or provision of this Circular is held unconstitutional or

invalid, the other sections or provisions hereof shall not be affected thereby and shall continue to be in full force and effect.

### Section 16. Effectivity

This Circular shall take effect fifteen (15) days after publication in two (2) national newspapers of general circulation. Let three (3) copies hereof be filed with the Office of the National Administrative Registrar (ONAR) U.P. Law Center Diliman, Quezon City pursuant to Presidential Memo Circular No. 11 dated October 9, 1992.

Approved and promulgated this 8th day of July 2020 in \_\_\_\_\_.



*B. Puyat*  
**BERNABETTE ROMULO-PUYAT**  
Secretary  
Department of Tourism

*E. Año*  
**EDUARDO M. AÑO**  
Secretary  
Department of Interior and  
Local Government



*R. Cimatu*  
**ROY A. CIMATU**  
Secretary  
Department of Environment and  
Natural Resources

*W. D. Dar*  
**WILLIAM D. DAR**  
Secretary  
Department of Agriculture



DEPARTMENT OF AGRICULTURE  
  
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**ANNEX I**

**INITIAL LIST OF DEDICATED INTERACTION SITES/ AREAS IN THE PHILIPPINES  
AS OF \_\_\_\_\_.**

SITE/ AREA	SPECIES FOUND	INTERACTION TIME
Donsol, Sorsogon	Whale sharks	Daytime
Oslob, Cebu	Whale sharks	Daytime
Sogod Bay, Leyte	Whale sharks	Daytime
Puerto Princesa, Palawan	Whale sharks	Daytime
Puerto Princesa, Palawan	Dolphins and whales	Daytime
Tanon Strait, Negros Oriental	Dolphins and whales	Daytime
Bohol	Dolphins and whales	Daytime
Malapascua, Cebu	Sharks and rays	Daytime
Ticao Pass, Masbate	Sharks and rays	Daytime
Busuanga, Palawan	Dugong	Daytime
Morong and Bagac, Bataan	Marine turtles	Daytime/Nighttime
Apo Island	Marine turtles	Daytime
Tubbataha Reefs Natural Park, Cagayancillo, Palawan	Whale sharks, dolphins and whales, sharks and rays, marine turtles	Daytime/Nighttime

Other minor/emerging/unmanaged sites:

Species	Site	Activity
<b>Whale shark</b>	Bohol Sea	Snorkeling/SCUBA
	San Fabian, Pangasinan	Viewing from boat
	Legazpi City, Albay	Snorkeling
	General Santos City	New
	Lamod Bay, Quezon	New
<b>Thresher shark</b>	Pescador Island, Cebu	SCUBA
<b>Manta ray</b>	Bohol Sea	SCUBA
<b>Small cetaceans</b>	Sarangani Bay	Viewing from boat
	Verde Island Passage	Viewing from boat
	Mayo Bay, Mati, Davao Oriental	Viewing from boat
	Divilacan Bay, Isabela	Viewing from boat
	Ragay Gulf, Camarines Sur	Viewing from boat

<b>Humpback whale</b>	Pagudpud, Ilocos Norte	Viewing from shore
	Babuyan Islands, Cagayan	Viewing from boat
<b>Irrawaddy dolphin</b>	Malampaya Sound, Palawan	Viewing from boat
	Pulupandan, Negros Occidental	Viewing from shore
<b>Dugong</b>	Mayo Bay, Mati	Viewing from shore
<b>Olive ridley turtle</b>	San Narciso, Zambales	Beach viewing
	Naic, Cavite	Beach viewing
	San Juan, La Union	
	Mati, Davao Oriental	
<b>Green turtle</b>	Turtle Islands, Tawi-tawi	Beach viewing/snorkeling
<b>Green turtle/hawksbill turtle</b>	Turtle Island, Guimaras	Beach viewing
	Mati, Davao Oriental	Beach viewing
	Arena Island, Palawan	Beach viewing

(To be updated by DOT before signing and periodically thereafter)

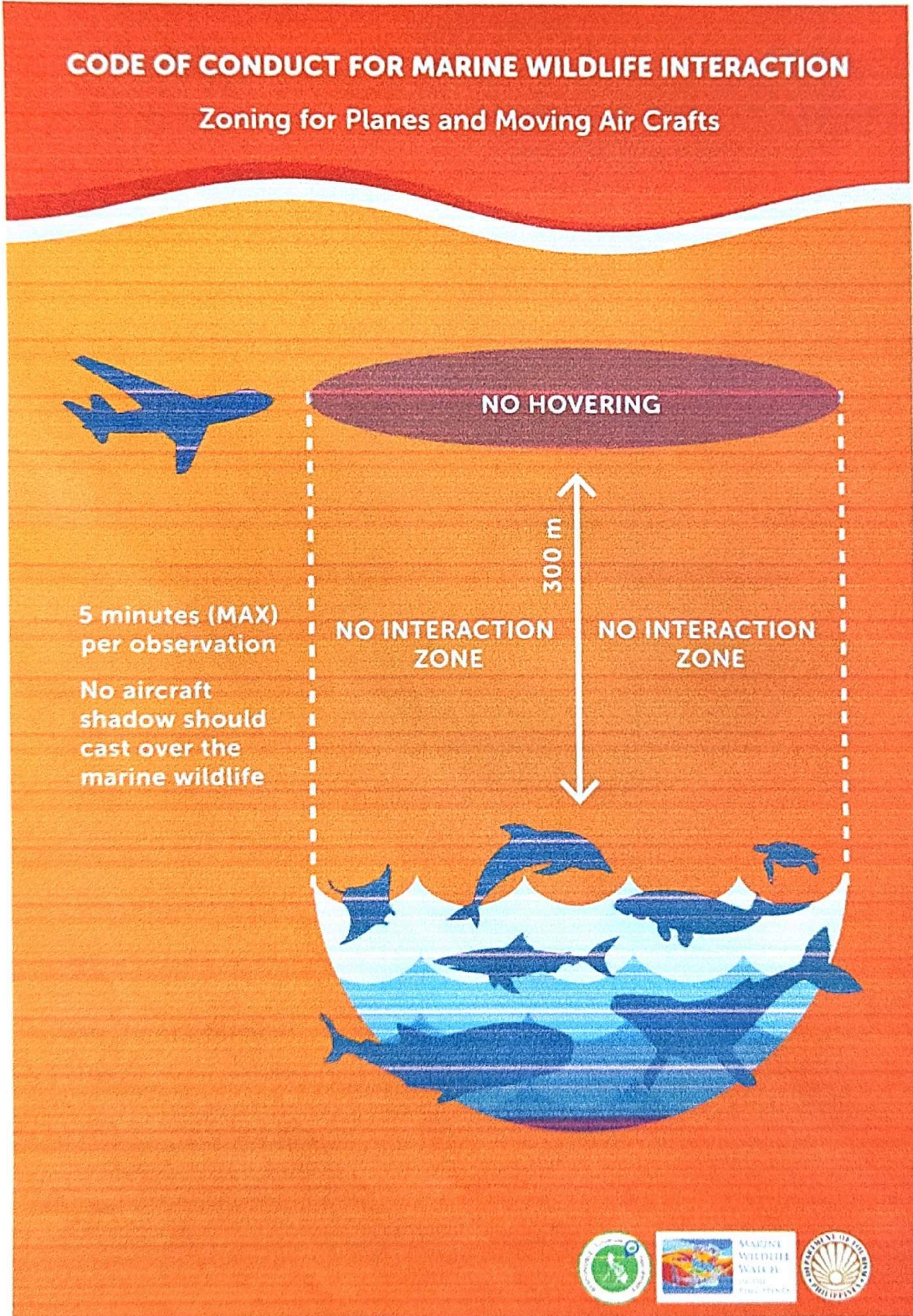
**ANNEX II**  
Infographics of Zones

Link to all infographics:

Section 7 and 8:

[https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album\\_id=10153216140389001](https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album_id=10153216140389001)

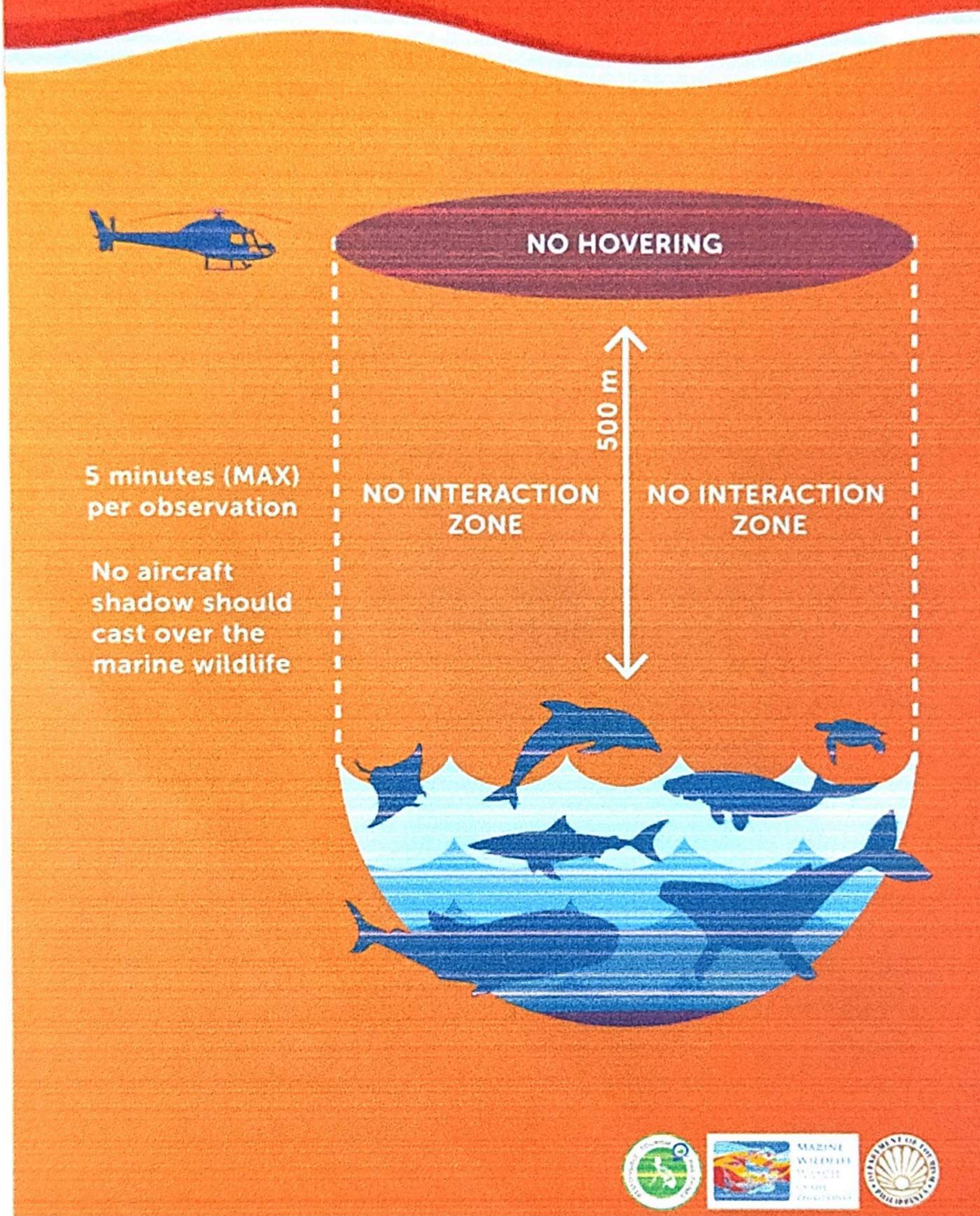
Aerial:





# CODE OF CONDUCT FOR MARINE WILDLIFE INTERACTION

## Zoning for Helicopters



Section 9 per species:

Dugong:

[https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album\\_id=10153255550744001](https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album_id=10153255550744001)

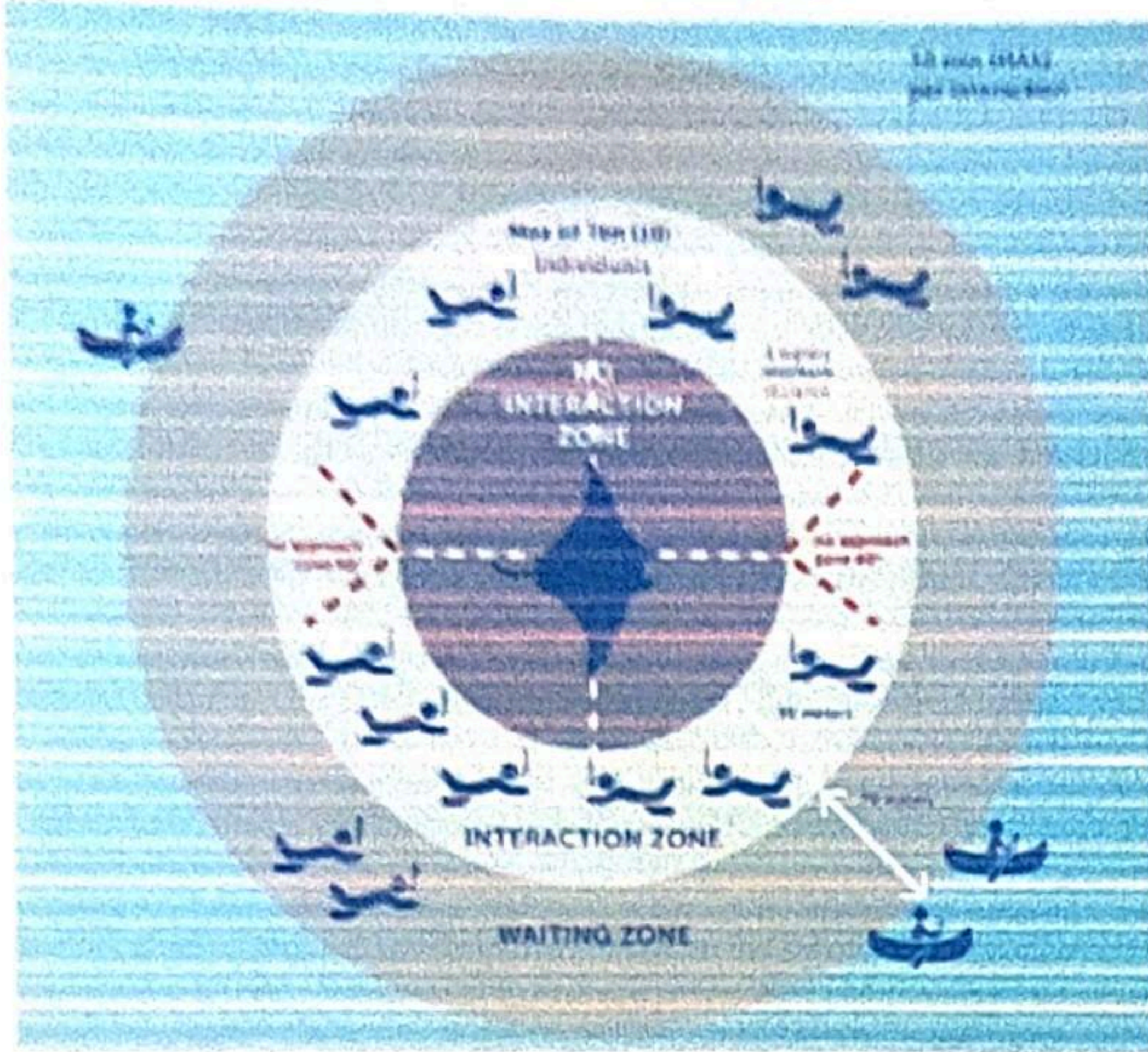
Cetaceans:

[https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album\\_id=10153245331594001](https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album_id=10153245331594001)

Whale Sharks:

[https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album\\_id=10153248262809001](https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album_id=10153248262809001)

## Manta rays and other 'sharks':



## Marine Turtles:

[https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album\\_id=10153236636119001](https://www.facebook.com/pg/marinewildlifewatchofthephilippines/photos/?tab=album&album_id=10153236636119001)

**ANNEX III**  
**Green Fins Code of Conduct**