

[REPUBLIC ACT NO. 9072, April 08, 2001]

**AN ACT TO MANAGE AND PROTECT CAVES AND CAVE RESOURCES
AND FOR OTHER PURPOSES**

Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:

SECTION 1. *Title.* - This Act shall be known as the "National Caves and Cave Resources Management and Protection Act."

SEC. 2. *Declaration of Policy.* - It is hereby declared the policy of the State to conserve, protect and manage caves and cave resources as part of the country's natural wealth. Towards this end, the State shall strengthen cooperation and exchange of information between governmental authorities and people who utilize caves and cave resources for scientific, educational, recreational, tourism and other purposes.

SEC. 3. *Definition of Terms.* - For purposes of this Act, the following terms shall be defined as follows:

- a. "Cave" means any naturally occurring void, cavity, recess or system of interconnected passages beneath the surface of the earth or within a cliff or ledge and which is large enough to permit an individual to enter, whether or not the entrance, located either in private or public land, is naturally formed or man-made. It shall include any natural pit, sinkhole or other feature which is an extension of the entrance. The term also includes cave resources therein, but not any vug, mine tunnel, aqueduct or other man-made excavation.
- b. "Cave resources" include any material or substance occurring naturally in caves, such as animal life, plant life, including paleontological and archaeological deposits, cultural artifacts or products of human activities, sediments, minerals, speleogems and speleothems.
- c. "Secretary" means the Secretary of the Department of Environment and Natural Resources (DENR).
- d. "Speleogem" means relief features on the walls, ceilings and floor of any cave or lava tube which are part of the surrounding bedrock, including but not limited to anastomoses, scallops, meander niches, petromorphs and rock pendants in solution caves and similar features unique to volcanic caves.
- e. "Speleothem" means any natural mineral formation or deposit occurring in a cave or lava tube, including but not limited to any stalactite, stalagmite, helictite, cave flower, flowstone, concretion, drapery, rimstone or formation of clay or mud.
- f. "Significant cave" refers to a cave which contains materials or possesses features that have archaeological, cultural, ecological, historical or scientific value as determined by the DENR in coordination with the scientific community and the academe.

SEC. 4. *Implementing Agency.* - The DENR shall be the lead agency tasked to implement the provisions of this Act in coordination with the Department of Tourism (DOT), the National Museum, the National Historical Institute and concerned local government units (LGUs) for specific caves, except that in the Province of Palawan, the Palawan Council for Sustainable Development shall be the lead implementing agency pursuant to Republic Act No. 7611 or the Strategic Environmental Plan for Palawan Act.

SEC. 5. *Powers and Functions of the Department of Environment and Natural Resources (DENR).* - In the implementation of this Act, the DENR shall exercise the following powers and functions:

- a. Formulate, develop and implement a national program for the management, protection and conservation of caves and cave resources;
- b. Disseminate information and conduct educational campaign on the need to conserve, protect and manage our caves and cave resources;
- c. Issue permits for the collection and removal of guano and other cave resources which shall be determined in coordination with the DOT, the National Museum, concerned LGUs, the scientific community and the academe, with regard to specific caves taking into consideration bio-diversity as well as the aesthetic and archaeological value of the cave: *Provided, That* the permittee shall be required to post a bond to ensure compliance with the provisions of any permit: *Provided, further, That* any permit issued under this Section shall be revoked by the Secretary when the permittee violates any provision of this Act or fails to comply with any other condition upon which the permit was issued: *Provided, furthermore, That* the Secretary cannot issue permits for the removal of stalactites and stalagmites, and when it is established that the removal of the resources will adversely affect the value of a significant cave: *Provided, finally, That* caves located within a protected area shall be subject to the provisions of Republic Act No. 7586 or the National Integrated Protected Areas System Act of 1992;
- d. Call on any local government unit, bureau, agency, state university or college and other instrumentalities of the government for assistance as the need arises in the discharge of its functions;
- e. Enter into a memorandum of agreement with any local government unit (LGU) for the preservation, development and management of cave or caves located in their respective territorial jurisdiction;
- f. Tap the cooperation of people's and nongovernmental organizations as active partners in the conservation and protection of our caves and cave resources; and
- g. Exercise other powers and perform other functions as may be necessary to implement the provisions of this Act.

SEC. 6. *Information Concerning the Nature and Location of Significant Caves.* - Information concerning the nature and specific location of a potentially significant cave shall not be made available to the public within one (1) year after its discovery by the DENR, during which time the DENR, in coordination with the DOT, the National Museum, the National Historical Institute, concerned LGUs, the scientific community and the academe, shall assess its archaeological, cultural, ecological, historical and scientific value, unless a written request is made and the Secretary determines that disclosure of such information will further the purpose of this Act and will not create a substantial risk of harm, theft or destruction on such cave.