

LAGUNA LAKE DEVELOPMENT AUTHORITY
3rd Floor, Rizal Capitol Building
Shaw Boulevard, Pasig City

RESOLUTION NO. 42
SERIES OF 1997

**APPROVING THE ADMINISTRATIVE FINES FOR VIOLATIONS
OF LLDA RULES AND REGULATIONS**

WHEREAS, Section 39-A of Republic Act No. 4850, as amended, and its Implementing Rules and Regulations provides that any person, natural or juridical, who shall violate any of the provisions of R.A. 4850 or any rule or regulation promulgated by the Laguna Lake Development Authority, shall be liable to an administrative fine not exceeding Five Thousand Pesos (P5,000.00);

WHEREAS, for clarity, enumerating the specific violation and the corresponding administrative fine is deemed appropriate;

NOW, THEREFORE, foregoing premises considered, **BE IT RESOLVED**, as it is hereby **RESOLVED**, to approve the following schedule of fines for every violation of LLDA Rules and Regulations:

<u>VIOLATION</u>	<u>ADMINISTRATIVE FINE</u>
1. Operating Emission Source(s) Installation without a Permit to Operate-ESI or Discharging Wastewater without a Discharge Permit	P5,000.00/source/year
2. Constructing/Operating a Fishpen in Excess of the Allowable/Allocated Area	P5,000.00/excess hectare or a fraction thereof/yr. (Note: with an order for demolition of the excess area)
3. Construction/Repair of Aquaculture structure without an approved LLDA Repair Clearance	P5,000.00/hectare
4. Non-observance of the required forty-meter (40 ms.) distance between aquaculture structures	P5,000.00 (Note: with an order for dismantling)



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| 5. Unauthorized construction of aquaculture structures outside the area allocated/approved by the LLDA | P5,000.00/hectare/yr. (Note: with an order for demolition) |
| 6. Use of Repair Clearance/ Stocking clearance belonging to another person registered with the LLDA | P5,000.00/hectare for each of the holder and owner of said clearance. |
| 7. Reclamation/Landfilling any Portion of the Laguna de Bay and its shoreland | P5,000.00/hectare or less/yr. |
| 8. Dredging/Quarrying of Materials from any portion of the Laguna de Bay and its shoreland | P5,000.00/day of operation |
| 9. Non-compliance with Permit conditions | P5,000.00/condition violated |
| 10. Refusal of Entry of Bonafide LLDA Inspectors | P5,000.00/inspection
(Note: With the filing of appropriate action in court) |

RESOLVED, FURTHER, that in the case of violation of the requirement to secure a valid LLDA Clearance (LC) prior to undertaking any development activity within the Laguna de Bay Region, the following are hereby adopted:

1. A three-month registration period shall be called by the LLDA, from April to June 1997. All establishments without the necessary LC should register and submit all documentary and other requirements to the LLDA. In consideration of the long period of the processing of Environmental Clearance Certificate (ECC), all establishments which registered with the LLDA are given six (6) months to comply with the ECC requirement. However, failure to meet the six-month grace period will disqualify them from enjoying the privileges granted under this program.
2. Upon registration, a P5,000.00 administrative fine will be imposed outright regardless of date of operation.

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3. Effective July 1997, the administrative fine of P5,000.00 per year without a valid LC shall be imposed to be reckoned from the original date when the applicant/proponent initiated their operation.

RESOLVED, FURTHERMORE, that in all of the above-mentioned cases, the imposition of the administrative fines does not preclude the Authority from issuing any order or from instituting appropriate civil or criminal actions in court as the circumstances may warrant.

RESOLVED, FINALLY, that this resolution shall take effect fifteen (15) days after publication in a newspaper of general circulation.

APPROVED on March 21, 1997.


JOSE D. LINA, JR.
Vice-Chairman


RICHARD ALBERT I. OSMOND
Director


ISAGANI B. VALDELLON
Director


CALIXTO R. CATAQUIZ
Director


WILFREDO B. SARAOS
Director


MAXIMINO E. PASAY, JR.
Director


CARLOS C. TOMBOC
Director
M 7/24/10 8/24/14

I hereby certify that Resolution No. 42, Series of 1997, was passed by the LLDA Board of Directors in its meeting held on March 21, 1997.

Loreta D. Villaruz
LORETA D. VILLARUZ
Board Secretary

Copy furnished:

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