



Republic of the Philippines  
**OFFICE OF THE PRESIDENT**  
**NATIONAL COMMISSION ON INDIGENOUS PEOPLES**  
3<sup>rd</sup> Flr. ARGO Bldg., 574 EDSA, Corner P. Tuazon Blvd.,  
Cubao, Quezon City  
Telefax Number 439-1557

ca  
PALAWAN P.O.  
RECEIVED  
DATE: 10-15-18  
V. Parangue

Memorandum Order No.: 2018-10-524  
Series of 2018

NCIP - REGION IV  
OFFICE 2018  
RELEASE  
RECORDS for

**TO :** ENGR. ROLDAN V. PARANGUE  
Provincial Officer, NCIP Palawan

**FROM :** THE REGIONAL DIRECTOR  
This Office

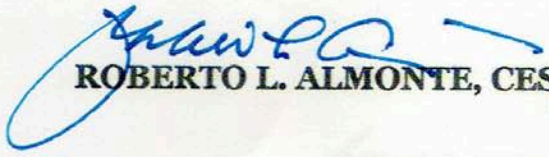
**SUBJECT :** CEB RESOLUTION NO. 07-124.2018, SERIES OF 2018

**DATE :** 28 SEPTEMBER 2018

We are respectfully transmitting herein attached CEB Resolution No. 07-124.2018, series of 2018, entitled "A Resolution on the Motion for Reconsideration of Lionheart Farms Philippines Corporation (now Lionheart Agrotech) and Letter for reconsideration of Green Power Palawan Agricultural Corporation (GPPAC) in the Matter of the Commission En Banc's Resolution No. 07-01-2017 dated January 10, 2017 for your information and ready reference.

Please transmit copies of the aforesaid Resolution to the proponent and Pala'wan ICC of Rizal, Palawan for their information.

For compliance.

  
ROBERTO L. ALMONTE, CESO III

Cc:

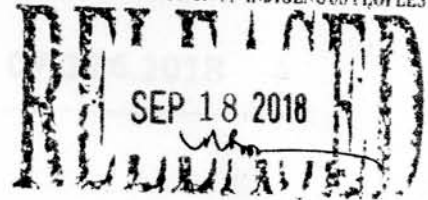
- 1. TMSD File
- 2. Records



OFFICE OF THE PRESIDENT  
NATIONAL COMMISSION ON INDIGENOUS PEOPLES  
2nd Flr. N. dela Merced Bldg., Corner West & Quezon Aves., Quezon City  
Tel Nos. 373-9534 / 373-9578 / Tel. Fax 373-976

NATIONAL COMMISSION ON INDIGENOUS PEOPLES

TO : NCIP-REGION IV  
FROM : EXECUTIVE DIRECTOR  
DATE : 18 SEPTEMBER 2018



### TRANSMITTAL

Transmitting herewith, for your reference and file, this Commission En Banc Resolution:

1. **One (1) Original Copy** of CEB Resolution No. 07-124.2018-A series of 2018 entitled: "A Resolution for the Motion for Reconsideration of Lionheart Farms Philippines Corporation (Now Lionheart Agrotech) and Letter for Reconsideration of Green Power Palawan Agricultural Corporation (GPPAC) in the Matter of the Commission En Banc";

For proper disposition, **two (2) original copies** of the abovementioned Resolution were left with the Office of the Executive Director for their file.

Thank you.

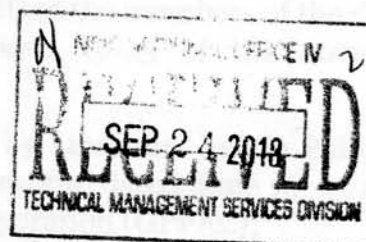
  
ROGELIO FRANCISCO M. BANTAYAN, JR.

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COMMISSION EN BANC RESOLUTION NO. \_\_\_\_\_  
Series of 2018

07-124.2018

**“A RESOLUTION ON THE MOTION FOR RECONSIDERATION OF LIONHEART FARMS PHILIPPINES CORPORATION (NOW LIONHEART AGROTECH) AND LETTER FOR RECONSIDERATION OF GREEN POWER PALAWAN AGRICULTURAL CORPORATION (GPPAC) IN THE MATTER OF THE COMMISSION EN BANC’S RESOLUTION NO.07-01-2017 DATED JANUARY 10, 2017”**

**WHEREAS**, Lionheart GPAC Farms Corporation and Green Power Palawan Agricultural Corporation (GPPAC), entered into a Memorandum of Agreement (MOA) with the Pala’wan ICCs of Barangay Ransang, Candawaga and Culasian, Municipality of Rizal, Palawan covering the utilization of 10,000 hectares of prime land that will host a project known as **“Massive Plantation of Coconut and other Agricultural Crops”**;

**WHEREAS**, the MOA was reached after the community leaders/elders gave their Free and Prior Informed Consent (FPIC) pursuant to Section 24 of the 2012 FPIC Guidelines or the rule that governs the conduct of FPIC on non-extractive/small scale projects;

**WHEREAS**, consequently, Certificate Precondition (CP) with control number CP RIV-PAL-2016-02-03 was issued thereon in favour of the PROPONENTS Lionheart GPAC Farms Corporation and GPPAC;

**WHEREAS**, in the Commission en Banc (CEB) deliberation held on August 10, 2016, it was one of the findings of the CEB that there was improper application of Section 24 of the FPIC Guidelines considering that the project is within the category of Section 19 or the rule requiring full blown FPIC process;

**WHEREAS**, as a result of such findings, the CEB resolved to suspend the implementation of the MOA, through CEB Resolution No.07-01-2017, in order to institute corrective measures and to ensure that the FPIC of the members of the affected communities are secured in accordance with sections 19-23 of the 2012 FPIC Guidelines;

**WHEREAS**, a Motion for Reconsideration was filed by Lionheart Farms Philippines Corporation on June 1, 2017 and a letter for reconsideration, dated June 16, 2017, was likewise filed by Green Power Palawan Agricultural Corporation (GPPAC);

**WHEREAS**, in its Motion for Reconsideration, Lionheart Farms Philippines Corporation prayed of the CEB:

1. To recall its Resolution No.07-01-207 dated January 10, 2017;
2. To delete its order of the suspension of both the implementation of the MOA and the operationalization of the CP, and in lieu thereof, to issue an order affirming or restoring their efficacy; and
3. To afford Lionheart Farms Philippines Corporation the right to be heard if it insists that the project is large-scale and/or require Lionheart Farms

Philippines Corporation to undertake the payment of bond as will be agreed upon with the Pala'wan Tribe pursuant to Section 23 and to submit the Environmental and Socio-Cultural Impact Statement pursuant to Section 21, and such other undertakings and documentary requirements as the NCIP may deem necessary for the protection of the welfare of the Pala'wan Tribal people.

**WHEREFORE**, on motion seconded, be it:

**RESOLVED**, that:


- A. The **FIRST** and **SECOND** prayers are **DENIED**, to wit:
1. To recall CEB Resolution No.07-01-207 dated January 10, 2017;
  2. To delete the order of the suspension of both the implementation of the MOA and the operationalization of the CP, and in lieu thereof, to issue an order affirming or restoring their efficacy; and
- B. The **THIRD** prayer is **GRANTED WITH MODIFICATION**, such that **PROPONENTS**, Lionheart and GPPAC, are required:
- a. To undertake the payment of bond Pursuant to Section 23 of the 2012 FPIC Guidelines;
  - b. To submit the Environmental and Socio-Cultural Impact Statement pursuant to Section 21 of the 2012 FPIC Guidelines;
  - c. To submit a comprehensive work plan which shall include its project profile and plan of operations;
  - d. To identify the actual areas of operations within the applied area; and
  - e. To comply and observe the procedures and submit necessary documents pursuant to Sections 19-23 of the 2012 FPIC Guidelines with the above documents fully explained to all concerned members of the community.

**RESOLVED FURTHER**, that the Order of Suspension contained in CEB Resolution No. 07-01-2017 **STANDS** until full compliance of the undertakings in the immediately preceding paragraph.

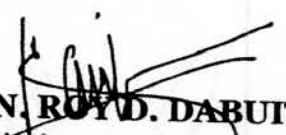
**RESOLVED FURTHERMORE**, as the composite team discovered during its conduct of field investigation on August 16-18, 2017 that there is an existing virgin coconut oil (VCO) processing plant within the applied area of the issued CP which was not disclosed in the FPIC process, the CP issued is therefore flawed. It is thus ordered that the FPIC process pursuant to "B.e" of the above incorporate such activity. In consequence thereof, the operations of the VCO processing plant is hereby held in abeyance until full compliance of "B.a to e." of above.

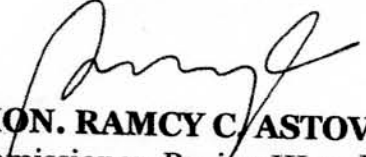
**RESOLVED, FINALLY**, to furnish copies of this Resolution to the NCIP R-IV, **PROPONENTS** Lionheart GPAC Farms Corporation and GPPAC, and other stakeholders.


Approved this \_\_\_\_\_ day of JUL 12 2018 2018 Quezon City, Philippines.

  
**HON. BASILIO A. WANDAG**  
Commissioner, CAR and Region I

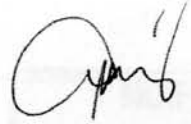
  
**HON. NORBERTO M. NAVARRO**  
Commissioner, Region II

  
**HON. ROY D. DABUIT**  
Commissioner, Island Groups  
And Rest of the Visayas

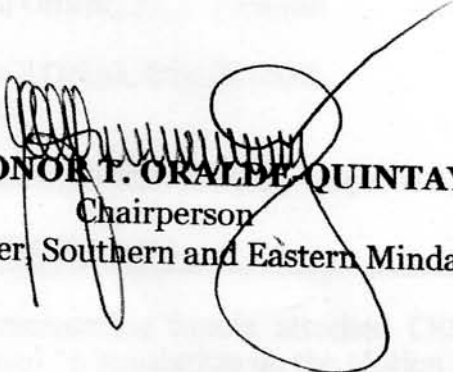
  
**HON. RAMCY C. ASTOVEZA**  
Commissioner, Region III and Rest of  
Luzon



**HON. DOMINADOR M. GOMEZ**  
Commissioner, Northern and Western  
Mindanao



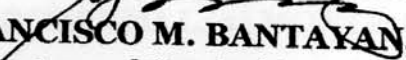
**HON. ERA C. ESPANA**  
Commissioner, Central Mindanao



**HON. LEONOR T. ORALDE QUINTAYO**  
Chairperson  
Commissioner, Southern and Eastern Mindanao

**ATTESTATION**

I attest that this Resolution was approved by the Commission En Banc during its regular session on the date as above stated.



**ROGELIO FRANCISCO M. BANTAYAN, JR.**  
Executive Director and Head of Secretariat

