

SIXTEENTH CONGRESS OF THE REPUBLIC }
OF THE PHILIPPINES }
Third Regular Session }

16 JAN 27 P6 56

SENATE

RECEIVED BY:

COMMITTEE REPORT NO. 443

Submitted jointly by the Committees on Environment and Natural Resources; and Tourism on IAN 2 7 2016

Re

House Bill No. 6152, taking into consideration Senate Bill No. 2981.

Recommending its approval with amendments.

Sponsors: Senators Escudero and Legarda.

MR. PRESIDENT:

The Committees on Environment and Natural Resources; and Tourism to which were referred House Bill No. 6152, Introduced by Representatives Abad, Relampagos, Alvarez (F.), Cagas, Lanete, Abueg, Dimaporo (I.), Fortun, Pichay and Reyes, entitled:

"AN ACT
DECLARING THE PROVINCE OF BATANES AS A RESPONSIBLE,
COMMUNITY-BASED CULTURAL HERITAGE AND ECOTOURISM
ZONE"

and Senate Bill No. 2981, introduced by Senator Aquino IV, entitled:

DECLARING THE PROVINCE OF BATANES AS A RESPONSIBLE, COMMUNITY-BASED CULTURAL HERITAGE AND ECOTOURISM ZONE"

have considered the same and have the honor to report these bills back to the Senate with the recommendation that House Bill No. 6152, taking into consideration Senate Bill No. 2981, be approved with an amendment on page 3, line 16, between the words "other" and "worship", insert the phrase "PLACES OF".

Respectfully submitted:

Chairmen:

MANUEL "LITO" M. LAPID
Committee on Tourism

FRANCIS G. ESCUDERO

Committee on Environment and Natural

Resources

<u>Vice -- Chairpersons:</u>

GREGORIO B. HONASAN II

Committee on Environment and Natural

Resources

CYNTHIA A. VILLAR

Committee on Environment and Natural

Resources

LOREN-LEGARDA

Committee on Environment and Natural

Resources

Member, Committee on Tourism

antònio "sonny" f. trillanes iv

Committee on Tourism

Member, Committee on Environment and

Natural Resources

SONNY ANGARA

Committee on Tourism

Member, Committee on Environment and Natural Resources

Members:

PAOLO BENIGNO "BAM" AQUINO IV Committee on Environment and Natural Resources

RAMON BONG REVILLA JR.
Committee on Environment and Natural
Resources

GRACE POE

Committee on Environment and Natural
Resources

PIA S. CAYETANO
Committee on Environment and Natural
Resources

FERDINAND R. MARCOS JR. Committee on Environment and Natural Resources

AQUILINO "KOKO" PIMENTEL III Committee on Environment and Natural Resources Committee on Tourism

MARIA LOURDES NANCY S. BINAY
Committee on Environment and Natural
Resources
Committee on Tourism

JOSEPH VICTOR G. EJERCITO
Committee on Environment and Natural
Resources

VICENTE C. SOTTO III

Committee on Environment and Natural Resources Committee on Tourism

Ex - Officio Members:

RALPH G. RECTO President Pro-Tempore

ALAN PETER COMPAÑERO S. CAYETANO Majority Leader

JUAN PONCE ENRILE Minority Leader

Hon. FRANKLIN M. DRILON President
Senate of the Philippines
Pasay City CONGRESS OF THE PHILIPPINES SIXTEENTH CONGRESS Third Regular Session

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HOUSE OF REPRESENTATIVES

H. No. 6152

By Representatives Abad, Relampagos, Alvarez (F.), Cagas, Lanete, Abueg, Dimaporo (I.), Fortun, Pichay and Reyes, per Committee Report No. 889

AN ACT DECLARING THE PROVINCE OF BATANES AS A RESPONSIBLE, COMMUNITY-BASED CULTURAL HERITAGE AND ECOTOURISM ZONE

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 "Batanes
 Responsible Tourism Act".
 - SEC. 2. Declaration of Policy. The State recognizes, respects, and protects the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions, and considers these rights in the formulation of national plans and policies.

The State is further mandated to promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable and equitable for local communities. Towards this end, the Province of Batanes is hereby declared a cultural heritage and ecotourism zone. It shall be accorded priority development by the Department of Tourism

1	(DOT) and shall be subject to the rules and regulations governing the
2	development of cultural heritage and ecotourism zones. The promotion of the
3	following inherent values and characteristics which influence the uniqueness
4	of the Ivatan culture and the beauty of the Islands of Batanes shall be pursued
5	in the development and management of the tourism industry in the Province:
6	(a) the integrity of its ecology and environment; (b) the richness of its natural
.7	and cultural heritage; and (c) the resilience of its indigenous social institutions.

SEC. 3. Objectives. — Pursuant to the above declaration of policy, the State shall endeavor to accomplish the following objectives:

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- (a) Develop and promote responsible, community-based ecologicalcultural tourism as the core management strategy in the development and growth of Batanes;
- (b) Ensure the conservation of the biodiversity and the preservation of the unique heritage and culture of the Province;
- (c) Develop tourism products and programs that will generate employment and livelihood for the local residents consistent with the preservation and maintenance of local heritage and culture;
- (d) Guarantee that the financial and economic benefits of the tourism industry are equitably shared by, and distributed among, the Ivatans and local residents by glving preference and support to community- and home-based tourism enterprises, such as micro and small businesses like local inns, lodges and homestays, restaurants, food and fruit stands, arts and craft shops, and similar tourism-oriented industries and businesses;
- (e) Ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors through the provision of orientation, educational and tour programs by local tour operators, nongovernment organizations (NGOs), local government units (LGUs) and the DOT; and

(f) Guarantee that in the development and promotion of the local tourism industry, the LGUs shall ensure that the needs of local residents and communities in the areas of water supply, food, energy and local construction materials are first secured and met.

SEC. 4. Definition of Terms. - As used in this Act:

- (a) Blodiversity conservation refers to the practice of preserving the variety of species, habitats and ecosystems, and genetic diversity of the place, including inter alia, terrestrial, marine and other aquatic ecosystems, and the ecological complexes which they are a part of;
- (b) Community-based tourism refers to a form of tourism where the local community and its residents have substantial control over and involvement in the development and management of the local tourism industry and a greater proportion of the economic gains remain within the community;
- (c) Cultural property refers to all products of human creativity by which a people and a nation reveal their identity, including churches, mosques and other religious worship, schools and natural history specimens and sites, whether public or privately owned, movable or immovable, and tangible or intangible;
- (d) Ecotourism refers to a form of sustainable tourism within a natural and cultural heritage area where community participation, protection, and management of natural resources, cultural and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and satisfaction of visitors;
- (e) Homestay refers to a system of tourist accommodation where a tourist stays with local residents and experience the day-to-day life of Ivatans and their communities;

(f) Indigenous social institutions refer to the institutions that embody the unique community orientation and cooperation pervasive in the way of life of the Ivatans. This includes the indigenous cooperative institutions in house construction, boat building and fishing, agricultural cultivation, wake and burial practices, and public infrastructure construction;

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- (g) Ivatan natural and cultural heritage refers to the landscapes, acascapes, historic places, sites and built environments of the Province precisely definested became of their outstanding value from the point of view of science, conservation, natural beauty, as well as biodiversity; and includes past and continuing cultural practices, knowledge and living experiences of the Ivatana that are important foundations for the development of present and future generations;
- (h) Landscapes refer to historia, cultural, symbolic vistas and sight corridors of cultural sites, inclusive of fixed or immovable structures and configuration of structures with established relationship with each other;
- (i) Responsible ecotourism refers to a form of sustainable tourism in which both the tourism sector and the tourists take responsibility in the protection, respect, and conservation of the natural environment and the local culture and ways of life, and where community participation as well as economic benefits are fostered and pursued for the well-being of the local people and satisfaction of visitors; and
- (j) Sustainable tourism development refers to the management of all resources in a way that simultaneously meets the needs of tourists and host regions; protects the opportunities for the future; fulfills the economic, social, and aesthetic needs; and preserves cultural integrity, essential ecological processes, biological diversity and a system that supports and perpetuates life.

known as the "Batanes Protected Area Act of 2000".

Sic. 6. Provincial Tourism Development Plan. — The DOT, in ecoordination with the Department of Environment and Natural Resources (DENR), the National Commission on Indigenous Peoples (NCIP), and the National Commission for Culture and the Aris (NCCA), shall assist the Province of Batanes in the formulation of the Provincial Tourism Development Plan that shall be complemented by a set of guidelines and standards for a responsible, community-based ecotourism. The tourism development plan shall ensure the preservation of the natural sites, the cultural and historic significance of identified tourist attractions, and respect for Ivatan culture and traditions, and shall include the following components:

- (a) Carrying capacity of sites:
- (b) Specific site assessments:
- (c) Identification of strategic priorities;
- (d) Product development for local income generation;
- (e) Capacity-building for local communities so residents therein can ably manage economically viable and responsible, community-based economism business enterprises;
- Support for the formation of local production groups and networks, including the marketing and pricing of products; and
- (g) Marketing strategies that reflect the natural, cultural, social and environmental integrity of Batanes.

The process of developing the Tourism Master Plan shall be participatory, from the bottom up, with the framework provided by the DOT, the DENR, the NCIP, and the NCCA, in consultation with the provincial and municipal governments.

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•	1	SEC. 5. Scope and Coverage This Act shall cover the same
	2	boundaries as provided in Section 3 of Republic Act No. 8991, otherwise
	3	known as the "Batanes Protected Area Act of 2000".
	4	SEC. 6. Provincial Tourism Development Plan The DOT, in
	5	coordination with the Department of Environment and Natural Resources
	6	(DENR), the National Commission on Indigenous Peoples (NCIP), and the
	7	National Commission for Culture and the Arts (NCCA), shall assist the
	8	Province of Batanes in the formulation of the Provincial Tourism
•	· 9	Development Plan that shall be complemented by a set of guidelines and
	10	standards for a responsible, community-based ecotourism. The tourism
•	11	development plan shall ensure the preservation of the natural sites, the cultural
	12	and historic significance of identified tourist attractions, and respect for Ivatan
•	13	culture and traditions, and shall include the following components:
	14	(a) Carrying capacity of sites;
	15	(b) Specific site assessments;
	16	(c) Identification of strategic priorities;
•	17	(d) Product development for local income generation;
	18	(e) Capacity-building for local communities so residents therein can
•	19	ably manage economically viable and responsible, community-based
	20	ecotourism business enterprises;
	21	(f) Support for the formation of local production groups and networks,
•	22	including the marketing and pricing of products; and
	23	(g) Marketing strategies that reflect the natural, cultural, social and
	24	environmental integrity of Batanes.
	25	The process of developing the Tourism Master Plan shall be
	26	participatory, from the bottom up, with the framework provided by the DOT,
	27	the DENR, the NCIP, and the NCCA, in consultation with the provincial and
	28	municipal governments.

SEC. 7. Formulation of Guidelines and Standards. — The concerned Protected Area Management Board of the DENR, the NCIP, and the local tourism council, in coordination with the LGUs, shall assist in the formulation of local tourism standards in the context of environmental stability, as well as recommend guidelines to ensure that biodiversity conservation and environmental protection are integrated in the development of heritage and ecotourism plans. The guidelines and standards shall:

- (a) Raise the capacity of all stakeholders and ensure that best practices are followed;
 - (b) Ensure optimal use of water and energy;

- (c) Reduce waste and pollution through the encouragement of recycling and environmentally-sound waste management disposal schemes, with a principle of taking as much waste away from the site as possible; and
- (d) Encourage the use of local produce and services, and support the employment of local people.
- SEC. 8. Coordination with National Agencies. The DOT shall closely coordinate with the provincial and municipal governments of the Province of Batanes, as well as with the regional and provincial offices of all relevant national government agencies, such as the DENR, the NCIP, the NCCA, the National Historical Commission, the National Museum, the Department of Labor and Employment (DOLE), the Department of Public Works and Highways (DPWH), the Department of Transportation and Communications (DOTC), the Department of Agriculture (DA), the Department of Science and Technology (DOST), the Department of Education (DepED), the Department of Trade and Industry (DTI), the Department of the Interior and Local Government (DILG), the Philippine National Police (PNP), the Maritime Industry Authority (MARINA), and the Philippine Ports

Authority (PPA) in the implementation of this Act.

1	SEC. 9. Implementing Rules and Regulations The DOT, the DENR,
2	the NCIP, and the NCCA, in consultation with the provincial and municipal
3`	governments of Batanes, concerned government agencies, and stakeholders,
4	shall, within sixty (60) days from the effectivity of this Act, promulgate the
5	necessary rules and regulations for the proper implementation of this Act.
6	SEC. 10. Separability Clause In the event that any provision of this
7	Act or part hereof is declared unconstitutional or invalid, the other provisions
8	not affected thereby shall remain in force and effect.
9	SEC. 11. Repealing Clause All laws, decrees, executive orders,
10	presidential issuances and other administrative rules and regulations or parts
11	thereof which are inconsistent with this Act are hereby repealed, amended or
12	modified accordingly.
13	SEC. 12. Effectivity This Act shall take effect fifteen (15) days after
14	its publication in the Official Gazette or in a newspaper of general circulation.
	Approved,

SIXTEENTH CONGRESS OF THE REPUBLIC
OF THE PHILIPPINES
Third Regular Session

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SENATE S.B. No. 2981

RECEIVED BA: ______.

Introduced by: Senator Paolo Benigno "Bam" A. Aquino IV

AN ACT DECLARING THE PROVINCE OF BATANES AS A RESPONSIBLE, COMMUNITY-BASED, CULTURAL HERITAGE AND ECOTOURISM ZONE

EXPLANATORY NOTE

As travelers journey across our archipelago, they find wondrous natural beauty and diverse indigenous cultures just waiting to be discovered.

It is no wonder that the number of tourists entering the Philippines has increased to over 2.6 million in the first half of this year (2015) and is set to surpass the Department of Tourism's (DOT) target of 5 million by yearend.

As we accommodate more foreign tourists and as more Filipinos decide to explore our own shores, it is imperative that we establish policies that seek to preserve our natural environment and foster our local, indigenous cultures, such as that of the Ivatans in Batanes.

For the past 230 years, local residents have safeguarded the Batanes Heritage. Area. But with the increasing popularity of the province as a tourist destination in the recent decade, it is high time that we provide it with the well-deserved support.

Hence, the Batanes Responsible Tourism Act of 2015 endeavors to create a responsible, community-based eco-tourism zone to promote the rich Ivatan culture and the unique environment of the province.

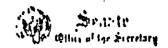
The DOT and the Department of Public Works and Highways (DPWH) shall provide resources and programs that will promote and protect the heritage of the province.

Furthermore, the measure aims to develop indigenous tourism products and programs that will generate sustainable employment and livelihood for the locals, together with the local government and other agencies.

As we stay true on the path where every Filipino family experiences meaningful economic growth, let's ensure the development and preservation of the Ivatan heritage and the pristine beauty of Batanes with the Batanes Responsible Tourism Act of 2015.

in view of the foregoing, the approval of this bill is earnestly sought.

Senator Paolo Benigno Bam" A. Aquino IV



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SECTION 1. Title. - This Act shall be known as the "Batanes Responsible Tourism Act."

SEC. 2. Declaration of Policy. — The State recognizes, respects, and protects the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions and the State considers these rights in the formulation of national plans and policies. The State is further mandated to promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable and equitable for local communities.

Towards this end, the Province of Batanes shall be accorded priority development by the Department of Tourism (DOT) as an eco-tourism zone and shall be subject to the rules and regulations governing the development of tourism zones in promoting the following inherent values and characteristics, which underlie the uniqueness of the Ivatan culture and the beauty of the Islands of Batanes in the development and management of the tourism industry in the province: (1) the integrity of its ecology and environment; (2) the richness of its natural and cultural heritage; and (3) the resilience of its indigenous social institutions.

SEC. 3. Objectives. — Pursuant to the above declaration of policy, the State shall endeavor to accomplish the following objectives:

- (1) Develop and promote responsible, community-based, ecological-cultural tourism as the core management strategy in the development and growth of Batanes;
- Ensure the conservation of the bio-diversity and the preservation of the unique heritage and culture of the province;
- (3) Develop tourism products and programs that will generate employment and livelihood for the local residents consistent with the preservation and maintenance of local heritage and culture;
- (4) Guarantee that the financial and economic benefits of the industry are equitably shared by and distributed among the Ivatans and local residents by giving preference to and support for community- and home-based tourism enterprises, i.e. micro and small businesses like local inns, lodges and homestays; restaurants,

- food and fruit stands, arts and craft shops and similar tourists-oriented industries and businesses;

 Ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors with the provision of orientation, educational and tour programs by local tour operators, Non Government Organizations (NGOs), Local Government Units (LGUs) and the DOT;
 - (6) Guarantee that in the development and promotion of the local tourism industry, the LGUs shall ensure that the needs of local residents and communities in the areas of water supply, food, energy and local construction materials are first secured and met.

SEC. 4. Definition of Terms. - As used in this Act:

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- Biodiversity conservation refers to the practice of preserving the variety of species, habitats and ecosystems and genetic diversity of the place, including inter alia, terrestrial, marine and other aquatic ecosystems, and the ecological complexes of which they are a part of;
- 2) Community-based Tourism refers to a form of tourism where the local community and its residents have substantial control over and involvement in the development and management of the local tourism industry and a greater proportion of the economic gains remain within the community;
- Cultural property refers to all products of human creativity by which a people and a nation reveal their identity, including churches, mosques and other religious worship, schools and natural history specimens and sites, whether public or privately owned, movable or immovable, and tangible or intangible;
- 4) Ecotourism refers to a form of sustainable tourism within a natural and cultural heritage area where community participation, protection, and management of natural resources, cultural and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and satisfaction of visitors;
- 5) Homestay refers to a system of tourist accommodation where a tourist stays with local residents and experience the day-to-day life of tvatans and their communities;
- indigenous social institutions refer to the institutions that embody the unique community orientation and cooperation pervasive in the way of life of the lvatans, who were compelled to depend on each other for common survival because of the province's remoteness and harsh environment. This includes the indigenous cooperative institutions in house construction, boat building and fishing, agricultural cultivation, wake and burial practices, and public infrastructure construction;
- 7) Ivatan natural and cultural heritage refers to the landscapes, seascapes, historic places, sites and built environments of the province precisely delineated because of their outstanding value from the point of view of science, conservation, natural beauty, as well as biodiversity; and includes past and continuing cultural practices, knowledge and living experiences of the Ivatans, which are important foundations for the development of present and future generations;
- 8) Landscapes refer to historic, cultural, symbolic, vistas, and sight corridors of cultural sites, inclusive of fixed/immovable structures and configuration of structures with established relationship with each other;
- 9) Responsible Ecotourism refers to a form of sustainable tourism in which both the tourism sector and tourists take responsibility to protect, respect, and conserve the natural environment and the local culture and ways of life; and where community participation as well as economic benefits are fostered and pursued for the well-being of the local people and satisfaction of visitors; and

- Sustainable tourism development refers to the management of all resources in a way that simultaneously meets the needs of tourists and host regions, protects the opportunities for the future, fulfills the economic, social, and aesthetic needs, and preserves cultural integrity, essential ecological processes, biological diversity and a system that supports and perpetuates life.
- SEC. 5. Scope and Coverage. This Act shall cover the same boundaries as provided in Section 3 of Republic Act No. 8991, otherwise known as the "Batanes Protected Area of 2000".
- SEC. 6. Provincial Tourism Development Plan. The Department of Tourism (DOT), in coordination with the Department of Environment and Natural Resources (DENR), the National Commission on Indigenous Peoples (NCIP), and the National Commission for Culture and the Arts (NCCA), shall assist the Province of Batanes in the formulation of the Provincial Tourism Development Plan that shall be complemented by a set of guidelines and standards for a responsible, community-based ecotourism. The tourism development plan shall ensure the preservation of the natural sites, the cultural and historic significance of the identified tourist attractions, and respect for Ivatan culture and traditions and will include the following components:
 - 1) Carrying capacity of sites;

- 2) Specific site assessments;
- 3) Identification of strategic priorities;
- 4) Product development for local wealth generation;
- Capacity-building for locals in managing economically viable responsible communitybased ecotourism business enterprises;
- 6) Support for the formation of local production groups and networks, including marketing and pricing;
- 7) Marketing strategies that reflect the natural, cultural, social and environmental integrity of Batanes.

The process of developing the Tourism Master Plan must be participatory, from the bottom up, with the framework provided by DOT, DENR, NCIP, and NCCA, in consultation with the Provincial and Municipal Governments.

- SEC. 7. Formulation of Guidelines and Standards. The Protected Area Management Board of the DENR, the NCIP, and the local tourism council, in coordination with the LGUs, shall assist in the formulation of local tourism standards in the context of environmental stability and recommend guidelines to ensure that biodiversity conservation and environmental protection are integrated in the development of heritage and ecotourism plans. The guidelines and standards shall:
 - 1) Raise the capacity of all stakeholders and ensure that best practice is followed;
 - 2) Ensure optimal use of water and energy;
 - 3) Reduce waste and pollution with encouragement given to recycling and environmentally sound waste management disposal schemes, with a principle of taking as much waste away from the site as possible; and
 - 4) Encourage the use of local produce and services, and to favor the employment of local people.
- SEC. 8. Coordination with National Agencies. The DOT shall closely coordinate with the provincial and municipal governments of the Province of Batanes, as well as with the regional and provincial offices of all relevant national government agencies, such as the National Historical Commission, National Museum, Department of Labor and Employment, National Commission for Culture and the Arts, National Commission on Indigenous People,

1	Department of	Public Works	and Highways	, Department	of	Transportation	and
2	Communications.	Department of	Agriculture D	anartment of	Coule		

- Resources, Department of Science and Technology, Department of Education, Department of
- 4 Trade and Industry, Department of Interior and Local Government, Philippine National Police,
- 5 Maritime industry Authority, and Philippine Ports Authority in the implementation of this Act.
 - SEC. 9. Implementing Rules and Regulations. The DOT, DENR, and NCIP, in consultation with the Provincial and Municipal Governments of Batanes, concerned government agencies and stakeholders, shall, within sixty (60) days from effectivity of this Act, promulgate the necessary rules and regulations for the proper implementation of this Act.
- SEC. 10. Separability Clause. If any provision of this Act is declared invalid, the remainder or any of this provision hereof not affected thereby shall remain in force and effect.
- SEC. 11. Repealing Clause. All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.
- SEC. 12. Effectivity. This Act shall take effect fifteen (15) days after its publication in at least two (2) national newspapers of general circulation.

17 Approved,

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