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SENATE

COMMITTEE REPORT NO. 378

RECEIVED BY: 

Submitted jointly by the Committees on Environment and Natural Resources; Tourism; and Finance on JAN 25 2016.

Re : Senate Bill No. 1364

Recommending its approval with amendments.

Sponsor : Senator Escudero.

MR. PRESIDENT:

The Committees on Environment and Natural Resources; Tourism; and Finance to which was referred Senate Bill No. 1364, introduced by Senator Ejercito Estrada, entitled:

**"AN ACT
DECLARING THE ISLAND OF MALAPASCUA, PROVINCE OF CEBU AS AN ECO-
TOURISM DESTINATION OF THE PHILIPPINES AND FOR OTHER PURPOSES"**

have considered the same and have the honor to report this bill back to the Senate with the recommendation that Senate Bill No. 1364 be approved with the following amendments:

1. On page 1, on the title of the bill, delete the punctuation mark hyphen "-" in the word "ECO-TOURISM";
2. On the same page, also on the title of the bill, delete the phrase "DESTINATION OF THE PHILIPPINES" and in lieu thereof, insert the phrase "ZONE, APPROPRIATING FUNDS THEREFOR,";
3. On the same page, before Section 1, insert a new section which shall read as follows:

**"SECTION 1. TITLE. - THIS ACT SHALL BE KNOWN AS "AN ACT
DECLARING THE ISLAND OF MALAPASCUA, PROVINCE OF CEBU AS
AN ECOTOURISM ZONE".";**

4. On the same page, line 1, on the subtitle, delete the word "State" and in lieu thereof, insert the phrase "DECLARATION OF";
5. On the same page, line 2, after the word "industry", insert the phrase "WHILE ENSURING ENVIRONMENTAL PROTECTION AND PRESERVATION";

COMMITTEE REPORT ON SBN 1364 (DECLARING MALAPASCUA ISLAND IN CEBU AN ECOTOURISM ZONE)

6. On the same page, line 4, after the word "Towards", delete the word "that" and in lieu thereof, insert the word "THIS";
7. On the same page, line 5, delete the phrase "environmental protection and making the industry" and in lieu thereof, insert the phrase "ECOTOURISM AS";
8. On the same page, line 6, delete the phrase "and an avenue for the generation of employment" and in lieu thereof, insert the phrase "WHILE GUARANTEEING THE RICHNESS OF OUR NATURAL RESOURCES";
9. On the same page and line, delete the word "aggressive";
10. On the same page, line 7, add letter "S" to the word "measure" to make it in plural form;
11. On the same page and line, delete the word "restore" and in lieu thereof, insert the word "IMPROVE";
12. On the same page and line, delete the phrase "Asian tourist" and in lieu thereof, insert the phrase "WORLD TOURISM";
13. On the same page, line 12, insert the subtitle "MALAPASCUA ISLAND ECOTOURISM ZONE";
14. On the same page, line 13, delete the punctuation mark hyphen "-" in the word "eco-tourism";
15. On the same page and line, delete the phrase "destination of the Philippines" and in lieu thereof, insert the phrase "ZONE. FOR THE PURPOSE OF THIS ACT, ECOTOURISM SHALL REFER TO A FORM OF SUSTAINABLE TOURISM WITHIN A NATURAL AND CULTURAL HERITAGE AREA WHERE COMMUNITY PARTICIPATION, PROTECTION AND MANAGEMENT OF NATURAL RESOURCES, CULTURE AND INDIGENOUS KNOWLEDGE AND PRACTICES, ENVIRONMENTAL PROTECTION AND ETHICS AS WELL AS ECONOMIC BENEFITS ARE FOSTERED AND PURSUED FOR THE ENRICHMENT OF HOST COMMUNITIES AND SATISFACTION OF VISITORS.";
16. On the same page, line 16, on the subtitle of Section 3, between the words "of" and "Eco-Tourism", insert the phrase "MALAPASCUA ISLAND";
17. On the same page and line, on the subtitle of Section 3, delete the punctuation mark hyphen "-" in the word "Eco-Tourism";
18. On the same page and line, on the subtitle of Section 3, delete the phrase "Task Force" and in lieu thereof, insert the phrase "GOVERNING BOARD";
19. On the same page and line, delete the phrase "a year" and in lieu thereof, insert the phrase "THREE (3) MONTHS";
20. On the same page, line 17, delete the phrase "Eco Tourism Task Force whose governing board shall be co-chaired by the Congressman and the Governor of Cebu" and in lieu

thereof, insert the phrase **"ECOTOURISM GOVERNING BOARD, TO BE KNOWN AS THE MALAPASCUA ISLAND ECOTOURISM GOVERNING BOARD";**

21. On the same page, line 19, delete the phrase "membership of the board" and in lieu thereof, insert the phrase **"MALAPASCUA ISLAND ECOTOURISM GOVERNING BOARD";**
22. On the same page and line, between the words "of" and "representatives", insert the phrase **"THE GOVERNOR OF CEBU WHO SHALL ACT AS CHAIR";**
23. On the same page and line, delete the word "representatives" and in lieu thereof, insert the phrase **"THE SECRETARIES";**
24. On the same page, line 20, delete the article "the";
25. On the same page, line 21, before the phrase "Department of Health", delete the article "the";
26. On the same page and line, between the phrases "Department of Health (DOH)" and "the private sector", insert the phrase **"DEPARTMENT OF AGRICULTURE (DA) OR THEIR DULY AUTHORIZED REPRESENTATIVES";**
27. On the same page and line, before the phrase "the private sector", insert the phrase **"A REPRESENTATIVE FROM";**
28. On the same page, lines 21 and 22, before the phrase "the Non-Governmental Organizations", insert the phrase **"A REPRESENTATIVE FROM";**
29. On the same page, line 22, between the word "Organizations" and the conjunction "and", insert the phrase **"WHOSE ADVOCACY IS ENVIRONMENTAL PRESERVATION, A REPRESENTATIVE FROM THE ACADEME, A REPRESENTATIVE FROM THE BUSINESS SECTOR";**
30. On the same page and line, delete the phrase "local government units concerned" and in lieu thereof, insert the phrase **"MAYOR OF THE MUNICIPALITY OF DAANBANTAYAN. THE GOVERNING BOARD SHALL PREPARE THE RULES AND REGULATIONS NECESSARY FOR THE FULL IMPLEMENTATION OF THE PROVISIONS OF THIS ACT AND SHALL, AS THE NEED ARISES, AMEND, MODIFY OR REVISE SUCH RULES AND REGULATIONS TO MEET THE NEEDS OF CHANGING TIMES";**
31. On the same page, line 25, before the phrase "The DENR and DOT", insert the subtitle **"MALAPASCUA ISLAND ECOTOURISM MASTER PLAN"** and the phrase **"WITHIN THREE (3) MONTHS FROM THE APPROVAL OF THIS ACT,";**
32. On the same page and line, between the acronym "DOT" and the word "shall", insert the punctuation mark comma "," and the phrase **"IN COORDINATION WITH THE PROVINCIAL GOVERNMENT OF CEBU AND THE MUNICIPAL GOVERNMENT OF DAANBANTAYAN,";**
33. On the same page and line, delete the punctuation mark hyphen "-" in the word "ecotourism";

34. On the same page, line 27, between the article "the" and the word "board", insert the phrase **"MALAPASCUA ISLAND ECOTOURISM GOVERNING"**;
35. On the same page and line, capitalize the letter "b" in the word "board";
36. On the same page, line 28, after the word "Units", insert the punctuation mark colon ":" and the phrase **"PROVIDED, THAT THE MALAPASCUA ISLAND ECOTOURISM MASTER PLAN SHALL BE IN ACCORDANCE WITH THE NATIONAL ECOTOURISM STRATEGY AND ACTION PLAN 2013-2022"**;
37. On page 2, line 1, delete the phrase "Secretary of the";
38. On the same page and line, after the acronym "DOT", insert the phrase **"DENR, AND THE TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY (TIEZA)"**;
39. On the same page, line 2, delete the phrase "department's program" and in lieu thereof, insert the phrase **"PROGRAMS OF THEIR RESPECTIVE OFFICES THE FUNDING FOR"**;
40. On the same page and line, after the word "Act", delete the punctuation mark comma "," and in lieu thereof, insert the punctuation mark period ".";
41. On the same page and line, capitalize the letter "t" in the phrase "the funding";
42. On the same page, line 3, after the word "Act", insert the phrase **"AND/OR INTERNALLY GENERATED FUNDS OF THEIR RESPECTIVE OFFICES"**;
43. On the same page, line 6, before the word "Any", insert the word **"IF"**;
44. On the same page, line 7, after the word "unconstitutional", delete the phrase "shall not affect the effectivity of the other provisions" and in lieu thereof, insert the phrase **"THE REMAINING PROVISIONS WHICH ARE NOT AFFECTED SHALL REMAIN IN FULL FORCE AND EFFECT"**;
45. On the same page, line 15, delete the phrase "upon its approval" and in lieu thereof, insert the phrase **"FIFTEEN (15) DAYS AFTER ITS COMPLETE PUBLICATION IN THE OFFICIAL GAZETTE OR IN A NEWSPAPER OF GENERAL CIRCULATION IN THE PHILIPPINES"**; and
46. Renumber the sections accordingly.

Respectfully submitted:

Chairpersons:



LOREN LEGARDA

Committee on Finance
Member, Committee on Environment and
Natural Resources
Member, Committee on Tourism



MANUEL "LITO" M. LAPID

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Committee on Environment and Natural
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CYNTHIA A. VILLAR

Committee on Environment and Natural Resources
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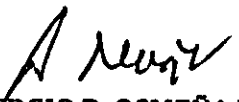
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SONNY ANGARA

Committee on Tourism
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SERGIO R. OSMEÑA III
Committee on Finance

COMMITTEE REPORT ON SBN 1364 (DECLARING MALAPASCUA ISLAND IN CEBU AN ECOTOURISM ZONE)

Members:



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PIA S. CAYETANO
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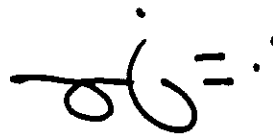
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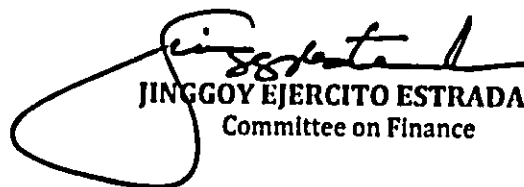


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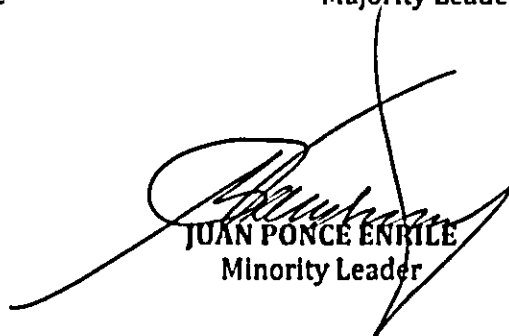


VICENTE C. SOTTO III
Committee on Environment and Natural Resources
Committee on Tourism
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President Pro-Tempore

ALAN PETER "COMPAÑERO" S. CAYETANO
Majority Leader



JUAN PONCE ENRILE
Minority Leader

Hon. FRANKLIN M. DRILON
President
Senate of the Philippines
Pasay City

SIXTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)



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SENATE

Senate Bill No. 1364

RECEIVED BY: *Ji*

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

EXPLANATORY NOTE

Heralded as the "Virgin Boracay of the Philippines", the Island of Malapascua in the Municipality of Daanbantayan in the Province of Cebu has attracted a significant number of local and foreign tourists. The rich biodiversity and colorful heritage of the Island truly reflects the beauty of a paradise that our country should be proud of.

In recognition of its valuable contribution to tourism and economy both in the local and national level; and in view of maximizing its full potential in these aspects, this measure proposes the declaration of the Island of Malapascua as an Eco-Tourism Destination of the Philippines. It mandates the Department of Environment and Natural Resources (DENR) and Department of Tourism (DOT) to prepare an eco-tourism master plan to ensure the promotion of tourism, the generation of employment and most importantly, the protection and preservation of the environment and ecosystem.

This measure was submitted in the Fifteenth Congress by the Committees on Environment and Natural Resources, Tourism, and Finance. It was however, not passed into law.

THE IMMEDIATE PASSAGE OF THIS BILL IS EARNESTLY SOUGHT.


JINGGOY EJERCITO ESTRADA
Senator



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SENATE

Senate Bill No. 1364

RECEIVED BY: ju

INTRODUCED BY SEN. JINGGOY EJERCITO ESTRADA

AN ACT

DECLARING THE ISLAND OF MALAPASCUA, PROVINCE OF CEBU AS AN
ECO-TOURISM DESTINATION OF THE PHILIPPINES AND FOR OTHER
PURPOSES

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

1 **SECTION 1. State Policy.** – It is hereby declared the policy of the State to
2 promote sustainable tourism industry:
3

4 Towards that end, the country shall rationalize all efforts pertaining to
5 environmental protection and making the industry a major source of livelihood
6 and an avenue for the generation of employment. Henceforth, aggressive
7 measure seeking to restore the country's share in the Asian tourist market shall
8 be consistent with the preservation of the existing ecosystem and natural
9 environment.
10

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12 **SEC. 2.** Pursuant to the public policy, the Island of Malapascua, Province of
13 Cebu is hereby declared an eco-tourism destination of the Philippines.
14
15

16 **SEC. 3. Creation of Eco-Tourism Task Force.** – Within a year from the approval
17 of this Act, there shall be created an Eco Tourism Task Force whose governing
18 board shall be co-chaired by the Congressman and the Governor of Cebu. The
19 membership of the board shall be composed of representatives from the
20 Department of Environment and Natural Resources (DENR), the Department of
21 Tourism (DOT), the Department of Health (DOH), the private sector, the Non-
22 Governmental Organizations, and the local government units concerned.
23
24

25 **SEC. 4.** The DENR and DOT shall prepare an eco-tourism master plan and
26 promulgate the necessary rules and regulations to be approved by the President
27 of the Philippines upon recommendation of the board, for implementation by the
28 concerned National Government Agencies and/or Local Government Units.
29
30

1 **SEC. 5. Appropriations.** – The Secretary of the DOT shall include in the
2 department's program the implementation of this Act, the funding of which shall
3 be included in the Annual General Appropriations Act.
4

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6 **SEC. 6. Separability Clause.** – Any provision of this Act or part thereof that may
7 be declared unconstitutional shall not affect the effectivity of the other provisions.
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10 **SEC. 7. Repealing Clause.** – All laws, executive orders, presidential decrees,
11 rules and regulations, and other issuance contrary to or inconsistent with this Act
12 shall be deemed repealed or modified accordingly.
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15 **SEC. 8. Effectivity Clause.** – This Act shall take effect upon its approval.
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21 *Approved,*