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SENATE

COMMITTEE REPORT NO. 381

RECEIVED BY: 

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

Re : Senate Bill No. 2308

Recommending its approval with amendments, taking into consideration House Bill No. 2698.

Sponsor : Senator Escudero.

MR. PRESIDENT:

The Committees on Environment and Natural Resources; Tourism; and Finance to which were referred Senate Bill No. 2308, introduced by Senator Legarda, entitled:

**"AN ACT
DECLARING THE MUNICIPALITY OF TALAINGOD, DAVAO DEL NORTE AS AN
ECO-CULTURAL TOURISM ZONE ESTABLISHING FOR THE PURPOSE THE
TALAINGOD CULTURAL HERITAGE VILLAGE, PROVIDING FOR ITS
DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR"**

and House Bill No. 2698, introduced by Representative Anthony G. Del Rosario, entitled:

**"AN ACT
DECLARING THE MUNICIPALITY OF TALAINGOD, DAVAO DEL NORTE AS AN
ECO-CULTURAL TOURISM ZONE ESTABLISHING FOR THE PURPOSE THE
TALAINGOD CULTURAL HERITAGE VILLAGE, PROVIDING FOR ITS
DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR"**

have considered the same and have the honor to report these bills back to the Senate with the recommendation that Senate Bill No. 2308, taking into consideration House Bill No. 2698, be approved with the following amendments:

1. On page 1, on the title of the bill, delete the phrase "ECO-CULTURAL TOURISM" and in lieu thereof, insert the word "ECOTOURISM";
2. On the same page, before Section 1, insert two new sections which shall read as follows:

**"SECTION 1. TITLE. - THIS ACT SHALL BE KNOWN AS "AN ACT
DECLARING THE MUNICIPALITY OF TALAINGOD, DAVAO DEL
NORTE AS AN ECOTOURISM ZONE".**

SEC. 2 DECLARATION OF POLICY. - IT IS HEREBY DECLARED THE POLICY OF THE STATE TO PROMOTE A SUSTAINABLE ECOTOURISM INDUSTRY WHILE ENSURING ENVIRONMENTAL PROTECTION AND PRESERVATION. TOWARDS THIS END, THE COUNTRY SHALL RATIONALIZE ALL EFFORTS PERTAINING TO ECOTOURISM AS A MAJOR SOURCE OF LIVELIHOOD WHILE GUARANTEEING THE RICHNESS OF OUR NATURAL RESOURCES. HENCEFORTH, MEASURES SEEKING TO IMPROVE THE COUNTRY'S SHARE IN THE WORLD TOURISM MARKET SHALL BE CONSISTENT WITH THE PRESERVATION OF THE EXISTING ECOLOGICAL SYSTEM AND NATURAL ENVIRONMENT.”;

3. On the same page, line 1, on Section 1, insert the subtitle **“TALAINGOD ECOTOURISM ZONE”;**
4. On the same page and line, before the phrase **“The Municipality”**, insert the phrase **“PURSUANT TO PUBLIC POLICY,”;**
5. On the same page and line, in the phrase **“The Municipality”**, change the capital letter **“t”** in article **“the”** into a small letter **“t”;**
6. On the same page, line 5, after the word **“zones”**, insert a new sentence which shall read as follows: **“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.”;**
7. On the same page, before Section 2, insert a new section which shall read as follows:

“SEC. ____ TALAINGOD ECOTOURISM GOVERNING BOARD. - FOR THE PURPOSE OF SECTION 3 OF THIS ACT, A GOVERNING BOARD, TO BE KNOWN AS THE TALAINGOD ECOTOURISM GOVERNING BOARD, IS HEREBY CREATED WITHIN THREE (3) MONTHS AFTER THE EFFECTIVITY OF THIS ACT. THE TALAINGOD ECOTOURISM GOVERNING BOARD SHALL BE COMPOSED OF THE FOLLOWING:

(1) GOVERNOR OF DAVAO DEL NORTE WHO SHALL ACT AS CHAIR;

(2) THE SECRETARY OF THE DOT OR HIS/HER DULY AUTHORIZED REPRESENTATIVE;

(3) THE SECRETARY OF THE DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES (DENR) OR HIS/HER DULY AUTHORIZED REPRESENTATIVE;

(4) THE CHAIRPERSON OF THE NATIONAL COMMISSION ON INDIGENOUS PEOPLES (NCIP) OR HIS/HER DULY AUTHORIZED REPRESENTATIVE;

(5) THE MAYOR OF THE MUNICIPALITY OF TALAINGOD, DAVAO DEL NORTE OR HIS/HER DULY AUTHORIZED REPRESENTATIVE;

(6) THE TRIBAL LEADER/S OF THE INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES (ICCS/IPS) OF THE AREA; AND

(7) A MEMBER OF A NONGOVERNMENT ORGANIZATION WHOSE ADVOCACY IS ENVIRONMENTAL PRESERVATION.

THE GOVERNING BOARD SHALL PREPARE THE RULES AND REGULATIONS NECESSARY FOR THE FULL IMPLEMENTATION BY THE CONCERNED LOCAL GOVERNMENT UNITS 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.”;

8. On the same page, line 6, after the phrase “SEC. 2”, insert the subtitle “TALAINGOD ECOTOURISM MASTER PLAN”;
9. On the same page and line, between the article “the” and the word “local”, insert the phrase “DENR, NCIP, TOURISM INFRASTRUCTURE AND ENTERPRISE ZONE AUTHORITY (TIEZA), CONCERNED INDIGENOUS CULTURAL COMMUNITIES/INDIGENOUS PEOPLES (ICCS/IPS) OF THE AREA, AND THE”;
10. On the same page, lines 6 and 7, delete the phrase “and relevant agencies of the government”;
11. On the same page, line 8, delete the phrase “a development” and in lieu thereof, insert the phrase “THE ECOTOURISM MASTER”;
12. On the same page, line 10, after the word “area”, delete the punctuation mark semi-colon “;” and in lieu thereof, insert the punctuation mark colon “:”;
13. On the same page and line, capitalize the first letter “t” in the word “that”;
14. On the same page and line, delete the word “development” and in lieu thereof, insert the phrase “ECOTOURISM MASTER”;
15. On the same page, line 11, after the word “area”, delete the punctuation mark semi-colon “;” and in lieu thereof, insert the punctuation mark colon “:”;
16. On the same page, line 12, capitalize the first letter “t” in the word “that”;
17. On the same page and line, delete the word “development” and in lieu thereof, insert the phrase “ECOTOURISM MASTER”;

18. On the same page, line 13, after the word "community", insert the punctuation mark colon ":" and the phrase **"PROVIDED, FURTHERMORE, THAT ANY PROGRAM, ACTION, ACTIVITY OR PROJECT THAT WILL AFFECT THE ANCESTRAL DOMAIN AND/OR RESOURCES WITHIN THE TALAINGOD CULTURAL HERITAGE VILLAGE SHALL HAVE BEEN REFERRED TO THE CONCERNED ICCS/IPS FOR THEIR FREE AND PRIOR INFORMED CONSENT (FPIC) PURSUANT TO REPUBLIC ACT NO. 8371, OTHERWISE KNOWN AS THE INDIGENOUS PEOPLES RIGHTS ACT OF 1997, AND IN COMPLIANCE TO NCIP ADMINISTRATIVE ORDER NO. 2, SERIES OF 2012, OTHERWISE KNOWN AS THE REVISED GUIDELINES ON FPIC AND RELATED PROCESSES OF 2012";**
19. On the same page, before Section 3, insert a new paragraph which shall read as follows: **"THE ECOTOURISM MASTER PLAN, WHICH SHALL BE IN ACCORDANCE WITH THE NATIONAL ECOTOURISM STRATEGY AND ACTION PLAN 2013-2022, SHALL FORM PART OF THE ANCESTRAL DOMAIN SUSTAINABLE DEVELOPMENT AND PROTECTION PLAN (ADSPPP) OF THE AREA.";**
20. On the same page, line 14, after the phrase "SEC. 3", insert the subtitle **"PROMOTION OF THE TALAINGOD CULTURAL HERITAGE VILLAGE";**
21. On the same page, line 16, after the phrase "SEC. 4", insert the subtitle **"APPROPRIATIONS";**
22. On the same page and line, between the acronym "DOT" and the word "shall", insert the phrase **"DENR, NCIP AND TIEZA";**
23. On the same page and line, delete the word "Department's";
24. On the same page and line, between the word "program" and article "the", insert the phrase **"OF THEIR RESPECTIVE OFFICES THE FUNDING FOR";**
25. On the same page, line 17, after the word "Act", delete the punctuation mark comma "," and in lieu thereof, insert the punctuation mark period ".";
26. On the same page and line, in the phrase "the funding", capitalize the letter "t" in article "the";
27. On the same page and line, delete the phrase "charged against the internally generated funds of the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) and/or the appropriations" and in lieu thereof, insert the word **"INCLUDED";**
28. On the same page, line 19, after the word "Act", insert the phrase **"AND/OR IN THE INTERNALLY GENERATED FUNDS OF THEIR RESPECTIVE OFFICES";**
29. On the same page, delete the entire Section 5 and in lieu thereof, insert two new sections which shall read as follows:

SEC 8. NON-IMPAIRMENT CLAUSE. - NOTHING IN THIS ACT SHALL BE CONSTRUED AS TO DIMINISH, IMPAIR, OR REPEAL RIGHTS RECOGNIZED, GRANTED, OR AVAILABLE TO THE ICCS/IPS


UNDER EXISTING LAWS INCLUDING, BUT NOT LIMITED TO, REPUBLIC ACT NO. 8371.

SEC. 9. SEPARABILITY CLAUSE. - IF ANY PROVISION OR PART OF THIS ACT MAY BE DECLARED UNCONSTITUTIONAL, THE REMAINING PROVISIONS WHICH ARE NOT AFFECTED SHALL REMAIN IN FULL FORCE AND EFFECT.

30. On the same page, line 22, after the phrase "SEC. 6", insert the subtitle "REPEALING CLAUSE";
31. On the same page, line 24, after the phrase "SEC. 7", insert the subtitle "EFFECTIVITY";
32. On the same page and line, 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
33. Renumber the section accordingly.

Respectfully submitted:

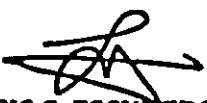
Chairpersons:



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



MANUEL "LITO" M. LAPID
Committee on Tourism
Member, Committee on Finance



FRANCIS G. ESCUDERO
Committee on Environment and Natural Resources
Member, Committee on Finance


Vice - Chairpersons:




GREGORIO B. HONASAN II
Committee on Environment and Natural
Resources



CYNTHIA A. VILLAR
Committee on Environment and Natural Resources
Member, Committee on Finance



ANTONIO "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
Member, Committee on Finance



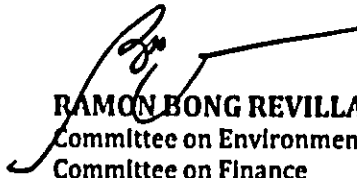
SERGIO R. OSMEÑA III
Committee on Finance

COMMITTEE REPORT ON SBN 2308 AND HBN 2698 (TALAINGOD ECOTOURISM ZONE)

Members:



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



RAMON BONG REVILLA JR.
Committee on Environment and Natural Resources
Committee on Finance




GRACE POE
Committee on Environment and Natural Resources
Committee on Finance

PIA S. CAYETANO
Committee on Environment and Natural Resources
Committee on Finance



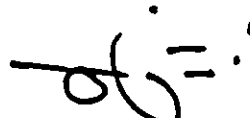
FERDINAND R. MARCOS JR.
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AQUILINO "KOKO" PIMENTEL III
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MARIA LOURDES NANCY S. BINAY
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President Pro-Tempore

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)
Second Regular Session)



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SENATE

RECEIVED BY: *ji*

S. B. No. 2308

Introduced by Senator LOREN LEGARDA

AN ACT
DECLARING THE MUNICIPALITY OF TALAINGOD, DAVAO DEL NORTE AS
AN ECO-CULTURAL TOURISM ZONE ESTABLISHING FOR THE PURPOSE THE
TALAINGOD CULTURAL HERITAGE VILLAGE, PROVIDING FOR ITS
DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR

EXPLANATORY NOTE

With an estimated population of 26,000 people, the municipality of Talaingod in the province of Davao del Norte serves as the home of the Ata Manobos, who safeguard one of the last remaining tropical rainforests in the country along the Pantaron Range. Aside from being stewards of the environment, the Ata Manobos lead in the preservation of their cultural heritage through their craftsmanship, which includes the creation of liyang baskets made from the wild bamboo grass called *baglok* and beaded necklaces, anklets and bracelets with the unique Ata Manobo pattern.

In recognition of the unique position of Talaingod as an environmental and cultural center, this measure seeks to declare Talaingod as an eco-cultural tourism zone and to establish a cultural heritage village to conserve and promote the rich and distinctive customs and traditions of indigenous peoples living there. With the adoption of an eco-cultural tourism zone, the highly diverse and rich culture of the indigenous peoples in Talaingod such as those of the Ata Manobo will be protected and preserved.

In view of the foregoing, the immediate passage of this bill is sought.


LOREN LEGARDA
Senator

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



'14 JUL 14 P3 53

SENATE

S. B. No. 2308

RECEIVED BY: *fi*

Introduced by SENATOR LOREN LEGARDA

AN ACT

DECLARING THE MUNICIPALITY OF TALAINGOD, DAVAO DEL NORTE AS AN ECO-CULTURAL TOURISM ZONE ESTABLISHING FOR THE PURPOSE THE TALAINGOD CULTURAL HERITAGE VILLAGE, PROVIDING FOR ITS DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1.** The Municipality of Talaingod in Davao del Norte is hereby declared as
2 an eco- cultural tourism zone, establishing for the purpose the Talaingod Cultural
3 Heritage Village. As such it shall be accorded priority development by the Department
4 of Tourism (DOT) and shall be subject to the rules and regulations governing the
5 development of tourist zones.

6 **SEC. 2.** The DOT, in coordination with the local government units concerned and
7 relevant agencies of the government, shall, within one (1) year after the approval of
8 this Act, prepare a development plan involving the construction, installation and
9 maintenance of such appropriate facilities and infrastructure which shall enhance
10 tourism in the area; Provided, that the said development plan shall ensure the
11 preservation and conservation of the natural beauty and indigenous nature of the area;
12 Provided further, that the development plan shall consider programs and strategies
13 that will generate livelihood and employment opportunities for the local community.

14 **SEC. 3.** The Department of Tourism shall promote the Talaingod cultural heritage
15 village in all its national, regional and local promotion programs.

16 **SEC. 4.** The DOT shall include in the Department's program the implementation of
17 this Act, the funding of which shall be charged against the internally generated funds
18 of the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) and/or the
19 appropriations in the annual General Appropriations Act.

20 **SEC. 5.** The DOT shall promulgate the necessary rules and regulations for the proper
21 implementation of this Act within ninety (90) days after its enactment.

22 **SEC. 6.** All laws, rules, regulations, proclamations, executive orders or parts thereof
23 inconsistent with this Act are hereby modified or amended accordingly.

24 **SEC. 7.** This Act shall take effect upon its approval.

25 **Approved,**



HOUSE OF REPRESENTATIVES

II. No. 2698

BY REPRESENTATIVE DEL ROSARIO (A.G.)

AN ACT DECLARING THE MUNICIPALITY OF TALAINGOD, DAVAO DEL NORTE AS AN ECO-CULTURAL TOURISM ZONE, ESTABLISHING FOR THE PURPOSE THE TALAINGOD CULTURAL HERITAGE VILLAGE, PROVIDING FOR ITS DEVELOPMENT AND APPROPRIATING FUNDS THEREFOR

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

1 **SECTION 1.** The Municipality of Talaingod, Davao del Norte is hereby
2 declared as an eco-cultural tourism zone, establishing for the purpose the
3 Talaingod Cultural Heritage Village. As such, it shall be accorded priority
4 development by the Department of Tourism (DOT) and shall be subject to the
5 rules and regulations governing the development of tourist zones.

6 **SEC. 2.** The DOT, in coordination with the local government units
7 concerned, the Representative of the First Congressional District of Davao del
8 Norte and other concerned agencies of the government shall, within one (1)
9 year after the approval of this Act, prepare a development plan involving the
10 construction, installation and maintenance of such appropriate facilities and
11 infrastructure which shall enhance tourism in the area: *Provided*, That the said
12 development plan shall ensure the preservation and conservation of the natural
13 beauty and indigenous nature of the area. Consideration must also be given to

1 the formulation, development and implementation of programs and strategies
2 that will generate livelihood and employment opportunities for the local
3 inhabitants of the area.

4 SEC. 3. The DOT shall take immediate steps in implementing the
5 tourism development plan that will suit the natural characteristics of the area
6 and shall incorporate the same in its overall development plans and programs
7 for national implementation.

8 SEC. 4. It shall also be the responsibility of the DOT to promote
9 Talaingod and the cultural heritage village that will be constructed and
10 established as tourism areas in all its national, regional and local promotion
11 programs.

12 SEC. 5. The DOT shall promulgate the necessary rules and regulations
13 for the proper implementation of this Act.

14 SEC. 6. The DOT shall include in the Department's program the
15 implementation of this Act, the funding of which shall be charged against the
16 internally generated funds of the Tourism Infrastructure and Enterprise Zone
17 Authority (TIEZA) and/or the appropriations in the annual General
18 Appropriations Act.

19 SEC. 7. All laws, rules, regulations, proclamations, executive orders or
20 parts thereof inconsistent with this Act are hereby modified or amended
21 accordingly.

22 SEC. 8. This Act shall take effect fifteen (15) days after its publication
23 in the *Official Gazette* or in a newspaper of general circulation.

Approved,