



HOUSE OF REPRESENTATIVES

H. No. 6365

BY REPRESENTATIVES CERILLES, ABAYA, CHUNGALAO, GARCIA (P.J.),
MIRAFLORES, DIMAPORO, BICHARA, PICHAY, ROMARATE, VALDEZ,
PIÑOL, PADILLA, GARAY, NAVA, GONZALES (N.) AND DE GUZMAN, PER
COMMITTEE REPORT NO. 2037

AN ACT REGULATING THE DEVELOPMENT AND MANAGEMENT OF SMALL ISLANDS IN THE PHILIPPINES

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

1 SECTION 1. *Short Title.* – This Act shall be known as the “Small
2 Islands Development and Management Act of 2009”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the policy of the
4 State to ensure the sustainable use, development, management and
5 conservation of the country’s small islands, including the protection and
6 enhancement of the quality of the small islands for the present and future
7 generations, under the principles of viable, sound and broad-based economic
8 development, ecological soundness, social equity and sustainability.

9 SEC. 3. *Coverage.* – In accordance with the aforesaid policy, this Act
10 shall regulate the use, development, management and conservation of small
11 islands, as well as the activities which impact the said resource.

1 This Act shall cover the islands of the Republic of the Philippines that
2 fall under the definition of a small island as described in Section 5(e) hereof.

3 SEC. 4. *Framework.* – This Act shall embody the principles of
4 sustainable development, tourism development, economic growth,
5 environmental protection, community development and involvement, and
6 institutional strengthening.

7 Its management framework shall include:

8 (a) inventory and assessment of prevailing conditions and resources of
9 small islands;

10 (b) evaluation of carrying capacity;

11 (c) identification of conflicts in resource use;

12 (d) integration of horizontal and vertical plans;

13 (e) adaptation to climate change;

14 (f) disaster preparedness;

15 (g) review and monitoring of development initiatives/resource
16 development and utilization of small islands; and

17 (h) capacity-building and active stakeholder participation.

18 SEC. 5. *Definition of Terms.* – Under this Act, the following are
19 hereby defined:

20 (a) “Alienable and disposable lands (A and D)” refers to lands of the
21 public domain which have been classified and declared as such and available
22 for disposition under Commonwealth Act No. 141, as amended, otherwise
23 known as the “Public Land Act”.

24 (b) “Carrying capacity” refers to the number of individuals who can be
25 supported in a given area within natural resource limits and without degrading
26 the natural, social, cultural and economic environment for present and future
27 generations.

1 (c) "Development activities" refers to activities that involve all forms
2 of improvement, construction or enhancement of land and other resources
3 within the islands or island groups that would likely impact the environment.

4 (d) "Ecological destination" refers to a site that shows a unique feature
5 of a landscape that benefits people because of its aesthetic, recreational and
6 scientific value.

7 (e) "Small islands" refers to pieces of land completely surrounded by
8 water in two (2) dimensions, above high tide and isolated from other land
9 masses which have an area of not more than fifty thousand (50,000) hectares.

10 (f) "Sustainable development" refers to the development objective of
11 meeting the needs and aspirations of the present generation of Filipinos
12 without compromising the capabilities and opportunities of future generations
13 to fulfill theirs, consistent with the principles of social equity, efficiency and
14 environmental integrity.

15 (g) "Tourism development areas" refers to specific sites for tourism
16 development located in areas identified as priorities in the national and
17 regional tourism master plans as well as those designated through legislative
18 and executive issuances as tourist spots and tourist zones which can be
19 developed into tourism estates or integrated resort, leisure and recreation
20 complexes, and other tourism-related facilities.

21 *SEC. 6. Creation of the Small Islands Development and Management*
22 *Board (SIDMB).* – Upon the effectivity of this Act, the Small Islands
23 *Development and Management Board* shall be created in provinces that have
24 small islands as part of their territorial jurisdiction to exercise their powers and
25 functions as stated in Section 8 hereof.

26 *SEC. 7. Composition of the Small Islands Development and*
27 *Management Board.* – The Board shall be headed by the governor of the

1 province who shall serve as the chairman of the Board, with the following
2 representatives who shall serve as members:

3 (a) The city or municipal mayor where small islands are within the said
4 official's territorial jurisdiction;

5 (b) A representative from the Department of Tourism (DOT);

6 (c) A representative from the National Economic and Development
7 Authority (NEDA);

8 (d) A representative from the Department of Environment and Natural
9 Resources (DENR); and

10 (e) Two (2) representatives from local sectors which are affected by
11 regulations and development initiatives in the island.

12 SEC. 8. *Powers and Functions of the Board.* – The SIDMB shall be
13 guided by the framework stated in Section 4 hereof and shall have the
14 following powers and functions:

15 (a) Formulate and update the rules and regulations on the utilization
16 and development of small islands;

17 (b) Integrate and harmonize all laws and policies relevant to small
18 island use;

19 (c) Regulate the approval of development activities in order to
20 maintain the carrying capacity of a small island as mentioned in Section 5(b)
21 hereof;

22 (d) Ensure the protection of all small islands covered by Republic Act
23 No. 7586, otherwise known as the National Integrated Protected Areas System
24 (NIPAS) Act of 1992 and other areas outside NIPAS which include protection
25 forests, rehabilitated and/or reforested degraded mining areas, critical
26 ecosystems, environmentally-constrained areas, critical watershed areas and all
27 agricultural lands that are ecologically fragile;

1 (e) Ensure that the regulations will be consistent with other
2 environmental laws; and

3 (f) Approve and oversee the implementation of site specific work
4 plans, action plans and programs consistent with the framework.

5 SEC. 9. *Quorum.* – A majority of all the members of the Board shall
6 constitute a quorum. The Board shall not transact business without a quorum.

7 SEC. 10. *Separability Clause.* – The provisions of this Act are hereby
8 declared separable and, in the event that one (1) or more of such provisions are
9 held unconstitutional, the validity of the other provisions shall not be affected.

10 SEC. 11. *Repealing Clause.* – All laws, decrees, executive issuances,
11 rules and regulations inconsistent with this Act are hereby repealed or modified
12 accordingly.

13 SEC. 12. *Effectivity Clause.* – This Act shall take effect fifteen (15)
14 days after its publication in at least two (2) newspapers of general circulation.

Approved,

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