



HOUSE OF REPRESENTATIVES

H. No. 10683

BY REPRESENTATIVES ALVAREZ (P.), TAMBUNTING, MATUGAS, GONZALEZ, OLIVAREZ, VILLANUEVA (N.), YAP (E.), SALCEDA, SINSUAT, DUTERTE, DAGOOC, GARCIA (J.E.), HARESCO, TADURAN, GASATAYA, SUANSING (E.), GO (M.), VIOLAGO, TAN (A.), NOGRALES (J.J.), PADIERNOS, GORRICETA, DELOSO-MONTALLA, CASTRO (F.L.), ONG (J.), TAN (A.S.), GERON, CRISOLOGO, SUANSING (H.), ONG (R.) AND FUENTEBELLA, PER COMMITTEE REPORT No. 1415

**AN ACT
CREATING THE SIARGAO ISLANDS DEVELOPMENT AUTHORITY,
PRESCRIBING ITS POWERS, FUNCTIONS, AND DUTIES, AND PROVIDING
FUNDS THEREFOR**

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

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Chapter 1

**DECLARATION OF POLICY
AND CREATION OF THE AUTHORITY**

SECTION 1. *Short Title.* – This Act shall be known as the “Siargao Islands Development Authority Act”.

SEC. 2. *Declaration of Policy.* – It is the declared policy of the State to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. For this purpose, the State shall undertake measures to adopt sustainable and progressive development strategies to protect its forestlands, national parks, marine areas, and wildlife sanctuaries, and the resources therein in promoting the economic and social development of Siargao Islands.

1 **SEC. 3. Creation of the Siargao Islands Development Authority.** – For the
2 purpose of carrying out the declared policy of this Act, a governmental entity granted
3 the powers of a corporation is herein created to be known as the Siargao Islands
4 Development Authority (SIDA), hereinafter referred to as the “Authority”, which shall
5 be under the Office of the President of the Philippines.

6 The Authority shall exercise jurisdiction over the entirety of Siargao Island and
7 its surrounding islets, hereinafter referred to as Siargao Islands, as described in
8 Republic Act No. 11038, otherwise known as the “Expanded National Integrated
9 Protected Areas System Act of 2018”.

10 Within the framework and subject to the mandate and limitations of the
11 Constitution, the Siargao Islands shall be developed into a self-sustaining,
12 industrial, commercial, financial, and investment center to generate employment
13 opportunities and to attract and promote productive local and foreign investments,
14 while strictly prioritizing the protection and preservation of its natural resources and
15 biodiversity.

16 The Authority shall be organized within thirty (30) days after the approval of
17 this Act. It shall have a term of fifty (50) years from its organization: *Provided*, That
18 Congress, by a joint resolution, may dissolve the Authority whenever in its
19 judgment the primary purpose for its creation has been accomplished.

20 The Authority shall establish its principal office in Siargao Island and may
21 establish branch offices anywhere in the country as may be necessary.

22 **SEC. 4. Purposes of the Siargao Islands Development Authority.** – The
23 Authority shall have the following purposes:

24 (a) Adopt, prepare, and implement a comprehensive and detailed
25 development plan embodying a list of projects to promote the economic,
26 cultural, and social development of the Siargao Islands through
27 sustainable tourism, protection and preservation of its protected areas,
28 and agricultural development;

29 (b) Encourage the active participation of the private sector in developing the
30 Siargao Islands into other productive and sustainable uses, through the
31 promotion and adoption of green technology as a component of the
32 development framework for the islands;

- 1 (c) Establish a mechanism of consultation and coordination with the local
2 government units (LGUs) and other stakeholders regarding the plans,
3 programs, and projects of the Authority for the Siargao Islands; and
4 (d) Plan, program, and undertake the relocation, or resettlement of the people
5 living in the area as may be deemed necessary and beneficial to the
6 conservation and development of Siargao Islands, in coordination with
7 appropriate government agencies and the concerned LGUs.

8 **SEC. 5. Powers of the Siargao Islands Development Authority.** – To carry
9 out its objectives under this Act, the Authority is hereby vested with the following
10 powers:

- 11 (a) To succeed in its corporate name, to sue and be sued in such corporate
12 name, and to adopt, alter, and use a corporate seal which shall be
13 judicially noticed;
- 14 (b) To enter into, make, perform, and carry out contracts of every class, kind,
15 and description which are necessary or incidental to the realization of its
16 purposes with any person, firm or corporation, private and public, and
17 with foreign government entities;
- 18 (c) To adopt, amend, and repeal its by-laws;
- 19 (d) To contract loans, indebtedness, credit, and issue commercial papers
20 and bonds, in any local or convertible foreign currency from any
21 international financial institution, foreign government entity, and local or
22 foreign private commercial banks or similar institutions under terms and
23 conditions prescribed by law, rules, and regulations;
- 24 (e) To construct, acquire, own, lease, operate, and maintain on its own or
25 through others by virtue of contracts, franchises, licenses or permits
26 under the Build-Operate-Transfer scheme or under a joint-venture with
27 the private sector, any or all of the public utilities and infrastructure
28 required or needed in Siargao Islands, in coordination with the
29 appropriate national government authorities and in conformity with
30 applicable laws thereon;
- 31 (f) To acquire, hold, administer, and lease real and personal properties,
32 including agricultural lands, property rights and interests, and encumber,

- 1 lease, mortgage, sell, alienate, or otherwise dispose of the same at fair
2 market value it may deem appropriate;
- 3 (g) To receive donations, grants, bequeaths, and assistance of all kinds from
4 local and foreign governments and private sectors and utilize the same
5 subject to existing laws, rules and regulations;
- 6 (h) To exercise the power of eminent domain;
- 7 (i) To exercise oversight functions over the Siargao Islands declared under
8 this Act and by subsequent presidential proclamations within the
9 framework of the declared policies of this Act;
- 10 (j) To identify, collect, and manage the fees collected in relation to its
11 functions;
- 12 (k) To issue all permits or clearances related to environmental protection
13 and conservation within its territorial jurisdiction, including the authority
14 to construct buildings, roads, bridges and such other structures, permits
15 to operate, and water use permits and, at its discretion, amend the
16 requirements associated with such permits or clearances to protect and
17 preserve the environment;
- 18 (l) To adopt and implement measures and standards for the protection of
19 the environment and natural resources within the territorial jurisdiction of
20 the Authority and to enforce the same. For this purpose, the Authority
21 shall create an Ecology Center, which shall be responsible for the
22 implementation of all environmental and natural resources conservation
23 and protection programs adopted or assumed by the Authority as a
24 natural corporation and as a governmental entity. The Ecology Center
25 shall undertake the normal functions associated with environmental
26 management, including enforcement, monitoring, permitting, training and
27 education, and contingency and emergency planning;
- 28 (m) To adopt and implement rules and regulations to govern the construction
29 of all structures and infrastructures within its territorial jurisdiction.
30 Pending the issuance of such rules and regulations, Presidential Decree
31 No. 1096, otherwise known as the National Building Code of the
32 Philippines, its Implementing Rules and Regulations, and other laws on
33 building and construction and the rules and regulations issued by the
34 Department of Public Works and Highways (DPWH) and other

1 government agencies concerning building and construction shall be
2 adopted. In this regard, and in accordance with the rules that the
3 Authority will issue pursuant thereto, the Authority shall have the power
4 to require a building owner to vacate, renovate, demolish, or remove any
5 building or structure which violates its rules and regulations on building
6 and construction;

7 (n) To charge reasonable fees, including license fees, application fees, filing
8 and registration fees, and administrative and regulatory fees, and to
9 impose administrative fines;

10 (o) To formulate guidelines for responsible ecotourism. Towards this end,
11 the Authority may operate, directly or indirectly, tourism related activities
12 subject to its priorities and standards;

13 (p) To promulgate all necessary rules and regulations; and

14 (q) To perform such other powers as may be necessary and proper to carry
15 out the purposes of this Act.

16 **SEC. 6. Capitalization.** – The Authority shall have an authorized capital of
17 Two hundred million pesos (P200,000,000.00) which shall be fully subscribed and
18 paid up by the National Government.

19 **SEC. 7. Board of Directors.** – The powers and functions of the Authority shall
20 be exercised through its Board of Directors, hereinafter referred to as the “Board”,
21 which shall be composed of seventeen (17) members, as follows:

22 (a) A representative each from the respective Planning and Development
23 Offices (PDO) of the Provincial Government of Surigao del Norte and the
24 municipalities of Burgos, Dapa, Del Carmen, General Luna, San Benito,
25 Pilar, San Isidro, Santa Monica, and Socorro;

26 (b) A representative of the Department of Tourism;

27 (c) A representative of the Protected Area Superintendent of the Siargao
28 Island Protected Landscape and Seascape;

29 (d) A representative of the Department of Agriculture’s Bureau of Fisheries
30 and Aquatic Resources (DA-BFAR);

31 (e) Four (4) representatives from the private sector who are stakeholders in
32 the development of Siargao Islands.

33 The members of the Board shall be appointed by the President of the
34 Philippines to serve for a term of six (6) years, unless sooner removed for cause

1 except for the LGU representatives who shall serve for a term of three (3) years.
2 The Chairperson of the Board shall be elected from among its members. In case of
3 removal of any member of the Board for cause, the replacement shall serve only
4 the unexpired portion of the term.

5 The members of the Board shall receive per diem for each meeting actually
6 attended at rates to be determined by the Department of Budget and Management
7 (DBM) in accordance with existing rules and regulations: *Provided, however,* That
8 the total per diem collected by each member in a month shall not exceed the
9 equivalent of four (4) meetings.

10 **SEC. 8. *Qualifications of Board Members.*** – No person shall be appointed
11 as a member of the Board unless one is a Filipino citizen, at least twenty-five (25)
12 years old, of good moral character, of unquestionable integrity, and of recognized
13 competence in relevant fields, such as economics, management, development, law,
14 or engineering.

15 **SEC. 9. *Functions of the Board.*** – The Board shall be the policy-making body
16 of the Authority and shall perform the following functions:

- 17 (a) Determine the organizational structure of the Authority and define the
18 duties and responsibilities of all officials and employees in accordance
19 with Civil Service laws, rules and regulations and evaluation and approval
20 of the Department of Budget and Management (DBM);
21 (b) Upon the recommendation of the Administrator, set the remuneration and
22 other emoluments of its officers and employees in accordance with
23 existing laws on compensation and position classification;
24 (c) Approve the annual and supplemental budgets of the Authority; and
25 (d) Submit an annual report of the operation and accomplishments to the
26 President of the Philippines, the Senate of the Philippines, and the House
27 of Representatives.

28 **SEC. 10. *Meetings and Quorum.*** – The Board shall meet regularly, once
29 every month, at its principal office. There must be notice to all members of the
30 Board, sent through electronic or traditional means, at least three (3) days before
31 said meeting. The Board may also conduct special meetings whenever necessary.

32 A majority of the members shall constitute a quorum for the transaction of
33 business, and every decision of at least a majority of the members present, in which

1 there is a quorum, shall be valid as a corporate act, except for the election of officers
2 which shall require the vote of a majority of all members of the Board.

3 **SEC. 11. *Administrator.*** – The President of the Philippines shall appoint a
4 professional manager as Administrator of the Authority, hereinafter referred to as
5 the Administrator, from the members of the Board representing the private sector.
6 The Administrator must have demonstrated executive competence and experience
7 in the field of public administration, economic planning, environmental and natural
8 resources management, or in the establishment and management of large
9 agricultural, commercial, or industrial enterprises. No person shall be nominated as
10 Administrator unless said person is of unquestioned integrity and competence.

11 The Administrator shall be entitled to compensation and benefits in
12 accordance with the existing salary standardization law. The Board shall exercise
13 administrative supervision over the Authority's employees through the
14 Administrator.

15 **SEC. 12. *Duties and Responsibilities of the Administrator.*** – The
16 Administrator shall have the following duties and functions:

- 17 (a) Ensure that the policies, programs, and rules and regulations adopted by
18 the Board are implemented efficiently and effectively;
- 19 (b) Prepare, for approval of the Board, an organizational structure for the
20 Authority;
- 21 (c) Call on stakeholders in the formulation and implementation of a
22 comprehensive and integrated plan for the development of the Siargao
23 Islands;
- 24 (d) Identify solutions to key issues and concerns, related risks, affected
25 parties and impact, in coordination with the Board and key stakeholders;
- 26 (e) Accept, on behalf of the Authority, donations, contributions, grants and
27 bequests or gifts, in cash or in kind, from members, foreign governments,
28 international agencies, private entities or any individual for purposes that
29 will realize the functions of the Authority;
- 30 (f) Call on any agency, group, individual member of the Board, LGUs, and
31 host community to address issues and concerns relating to
32 implementation of major programs, projects, and activities;

- 1 (g) Supervise administrative operations including disbursements of funds of
2 the Authority, subject to the usual accounting and auditing procedures,
3 and submit reports thereon;
- 4 (h) Supervise the monitoring and timely implementation of Mindanao-wide or
5 Mindanao-specific inter-regional programs, projects, and activities
6 affecting the Siargao Islands;
- 7 (i) Execute and administer the policies and measures approved by the Board;
- 8 (j) Appoint all employees of the Authority, and, with the approval of the Board,
9 remove, dismiss, or discipline for cause, such employees in accordance
10 with the standard guidelines for recruitment, employment, and discipline
11 in the Civil Service Code;
- 12 (k) Represent the Authority in all dealings with other offices, agencies, and
13 instrumentalities of the government and with all persons and entities,
14 public or private;
- 15 (l) Sign agreements or contracts on behalf of the Authority, including those
16 for expert and consultant services and other reports of accountabilities
17 emanating from the Authority; and
- 18 (m) Perform such other functions that the Board may direct to carry out the
19 provisions of this Act.

20 Chapter II

21 DEVELOPMENT FRAMEWORK OF SIARGAO ISLANDS

22 **SEC. 13. *Conversion and Reclassification of Lands.*** – There shall be an
23 easement from the low water line along the coast and extending up to twenty (20)
24 meters into the coast along the entire Siargao Island covering the coasts of the
25 municipalities of Burgos, Dapa, Del Carmen, General Luna, San Benito, Pilar, San
26 Isidro, Santa Monica, and Socorro. The metes and bounds of the area covered by
27 this section shall be determined by the DENR.

28 The respective shorelines beginning at the end of the easement specified in
29 the immediately preceding paragraph and extending inwards for a distance of three
30 (3) kilometers is hereby converted and classified into lands for commercial and
31 residential purposes. Construction of ports and related facilities, as approved by
32 the Authority, shall not be subject to the construction limitations imposed by the
33 shoreline easements.

1 The entirety of the Siargao Islands is hereby exempted from the coverage of
2 Republic Act No. 6657, otherwise known as the "Comprehensive Agrarian Reform
3 Law of 1998", as amended by Republic Acts Numbered 7881, 7905, 8532, and
4 9700.

6 Chapter III

7 SIARGAO ISLANDS PROTECTED LANDSCAPE AND SEASCAPE

8 **SEC. 14. *Siargao Islands Master Plan.*** – The Authority shall adopt, within six
9 (6) months after the effectivity of this Act, a Siargao Master Plan based on the
10 Comprehensive Tourism Master Plan adopted by the Tourism Infrastructure and
11 Enterprise Zone Authority and the Management Plan formulated for the Siargao
12 Island Protected Landscape and Seascape (SIPLAS) under Republic Act No.
13 11038, otherwise known as the "Expanded National Integrated Protected Areas
14 System Act of 2018". The Siargao Master Plan shall serve as the basic long-term
15 framework for the management of the Siargao Islands and guide in the preparation
16 of its annual operations plan and budget.

17 **SEC. 15. *Management of Siargao Islands Protected Landscape and***
18 ***Seascape (SIPLAS).*** – Notwithstanding any provision of law to the contrary, the
19 SIPLAS shall be managed by and be under the jurisdiction of the Authority.

20 **SEC. 16. *Funding for the Management of SIPLAS.*** – The budget for the
21 SIPLAS shall be separate and distinct from the allocation for the Authority in the
22 annual General Appropriations Act.

23 **SEC. 17. *Defense and Security.*** – The Authority shall be assigned a special
24 patrol unit from the Philippine National Police (PNP) and the Philippine Coast Guard
25 (PCG).

26 **SEC. 18. *Appropriations.*** – The amount necessary for the implementation of
27 this Act shall be included in the annual General Appropriations Act following its
28 enactment into law and thereafter until such time that the Authority is able to provide
29 for its operations and maintenance.

30 **SEC. 19. *Separability Clause.*** – If any provision or part thereof is declared
31 unconstitutional, the remainder of this Act or any provision not affected shall remain
32 in full force and effect.

33 **SEC. 20. *Repealing Clause.*** – For the purpose of this Act, Section 10 of
34 Republic Act No 7586, or the "National Integrated Protected Areas System Act of

1 1992", as amended by Republic Act No. 11038, is hereby modified. All other laws,
2 decrees, executive orders, rule and regulations or parts thereof which are contrary
3 to or inconsistent with this Act are hereby repealed, amended, or modified
4 accordingly.

5 **SEC. 21. Effectivity.** – This Act shall take effect fifteen (15) days after its
6 publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,