



HOUSE OF REPRESENTATIVES

H. No. 5998

BY REPRESENTATIVES ALBANO, MADRONA, CHATTO, ANGARA, ALVAREZ (J.), LUISTRO, RILLO, CHAN, AGARAO, ALMARIO, AUMENTADO, MATUGAS, SINGSON (R.), EMANO, GARCIA (M.A.), SALI, HORIBATA, ZAMORA (M.C.), DELOS SANTOS, ABUNDA, LAGON (D.), MANQUIZ, OUANO-DIZON, TUTOR, GO (E.C.), BUHAIN, CAGAS, TUPAS, GO (M.), GORRICETA, DALOG, YU (J.V.), CRUZ (R.), GATO, LIMKAICHONG, ESCUDERO, CARI, YU (D.G.), SALVAME, SACDALAN, KHO (R.), LEGARDA, GULLAS, MIGUEL, ALONTE, PLEYTO, GUTIERREZ, MAGSINO, PADIERNOS, GONZALES (A.), FRASCO, HERRERA, BASCUG, CABREDO, CHUNGALAO, COLLANTES, CUARESMA, KHO (O.), LOYOLA, MARIANO-HERNANDEZ, NAVA, OLIVAREZ, PLAZA, RODRIGUEZ (R.), SILVERIO AND SUANSING (M.A.), PER COMMITTEE REPORT NO. 161

AN ACT

DECLARING THE MALASI TREE PARK AND WILDLIFE SANCTUARY LOCATED IN BARANGAY SAN ANTONIO, MUNICIPALITY OF CABAGAN, PROVINCE OF ISABELA, AN ECOTOURISM ZONE

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

- 1 **SECTION 1.** The Malasi Tree Park and Wildlife Sanctuary located in Barangay San
2 Antonio, Municipality of Cabagan, Province of Isabela, is hereby declared an ecotourism
3 zone. Pursuant thereto, its development shall be prioritized and supported by the Department
4 of Tourism (DOT), subject to the rules and regulations governing the development of
5 ecotourism zones.

1 **SEC. 2.** The Malasi Tree Park and Wildlife Sanctuary Development Council,
2 hereinafter referred to as the Council, is hereby created. It shall be composed of fifteen (15)
3 members, as follows:

4 (a) *Ex Officio* Members

- 5 (1) Mayor of the Municipality of Cabagan, as Chairperson;
- 6 (2) Head of the Municipal Tourism Office of the Municipality of Cabagan, as
7 Vice-Chairperson;
- 8 (3) Head of the Municipal Environment and Natural Resources Office of the
9 Municipality of Cabagan;
- 10 (4) Provincial Environment and Natural Resources Officer of Isabela;
- 11 (5) Barangay Chairperson of Barangay San Antonio;
- 12 (6) Director of the Biodiversity Management Bureau;
- 13 (7) Chief Operating Officer of the Tourism Infrastructure and Enterprise Zone
14 Authority;
- 15 (8) Regional Director of DOT-Region II;
- 16 (9) Regional Director of DENR-Region II;
- 17 (10) Regional Director of the Department of Public Works and Highways-Region
18 II;
- 19 (11) DENR Provincial Environment and Natural Resources Officer of Isabela; and
- 20 (12) Chairperson of the Municipal Fisheries and Aquatic Resources Management
21 Council of the Municipality of Cabagan.

22 (b) Members Who Shall Represent Sectoral Concerns

- 23 (1) One (1) representative from an academic institution, preferably from a
24 university or college in the Province of Isabela, with proven track record in or
25 related to ecotourism and critical habitat management;

1 (2) One (1) representative from the private sector, preferably a resident of the
2 Province of Isabela, who is distinguished in a profession or field of interest
3 relevant to ecotourism and critical habitat management; and

4 (3) One (1) representative from either non-government organization (NGO) or
5 people's organization (PO) duly accredited both by the DENR and the
6 provincial government of Isabela. The NGO or PO represented should have
7 been in existence for at least five (5) years with proven track record in or related
8 to ecotourism or critical habitat management.

9 The *ex officio* elective members of the Council shall serve for the duration of their
10 respective terms of office to which they are elected.

11 The *ex officio* appointive members of the Council shall serve for the duration of the
12 period they hold the office to which they are appointed.

13 The sectoral members of the Council shall be selected by the *ex officio* members in a
14 fair and transparent manner. They shall each serve a term of three (3) years and may be
15 reappointed for another term.

16 The members of the Council shall serve without compensation, but shall be
17 authorized to actual and necessary traveling and subsistence expenses incurred in the
18 performance of their duties, either in their attendance in meetings of the Council or in
19 connection with other official business authorized by a resolution of the Council, subject to
20 existing rules and regulations. Each member shall have the full capacity and accountability
21 for decisions binding to the member's sector.

22 The municipal government of Cabagan shall provide a Secretariat for the Council and
23 the necessary funds to defray the expenses to be incurred by the Secretariat in the
24 performance of its duties and responsibilities.

25 **SEC. 3.** The Council shall have the following functions:

26 (a) Formulate and implement the Malasi Tree Park and Wildlife Sanctuary

- 1 Development Plan, in consultation with the local residents, businesses and
2 other stakeholders;
- 3 (b) Assess and evaluate the potential impact of the development to the
4 environmental safety and well-being of the ecotourism zone, communities
5 and enterprises;
- 6 (c) Provide technical and financial assistance to the communities within the
7 ecotourism zone;
- 8 (d) Formulate rules and regulations in relation to the maintenance and security of
9 the ecotourism zone; and
- 10 (e) Perform other functions as may be necessary to carry out the objectives of this
11 Act.

12 **SEC. 4.** Within one (1) year after the approval of this Act, the Council shall prepare
13 the Malasi Tree Park and Wildlife Sanctuary Development Plan to enhance tourism in the
14 area and ensure that the existing ecosystems, endemic wildlife species, as well as migratory
15 species, and naturally occurring flora and fauna and their habitats, are preserved and
16 protected. The Malasi Tree Park and Wildlife Sanctuary Development Plan shall be
17 formulated and implemented in accordance with the Malasi Tree Park and Wildlife Sanctuary
18 Critical Habitat Management Plan and pursuant to the provisions of Republic Act. No. 9147,
19 also known as the *“Wildlife Resources Conservation and Protection Act.”*

20 **SEC. 5.** The joint responsibility over the management of the Malasi Tree Park and
21 Wildlife Sanctuary Critical Habitat as mandated under DENR Administrative Order No.
22 2012-01 shall be transferred from the DENR Region II Office and the municipal government
23 of Cabagan, to the Council. For this purpose, the DENR Region II Office and the municipal
24 government of Cabagan shall coordinate with the Council and provide the necessary technical
25 assistance to ensure the continued implementation of the Critical Habitat Management Plan.

1 The transfer of management of the Malasi Tree Park and Wildlife Sanctuary Critical
2 Habitat shall include all applicable funds, records, property, assets, liabilities, equipment, and
3 personnel: *Provided*, That all personnel presently employed by the DENR-Region II Office
4 and the municipal government of Cabagan for the purpose shall continue their service
5 without diminution of rank, base pay, allowance, and other benefits authorized under existing
6 laws.

7 **SEC. 6.** The DOT shall assist the Council in the implementation of the development
8 plan by providing technical assistance in tourism capacity building. It shall also include the
9 Malasi Tree Park and Wildlife Sanctuary in its national and regional promotion programs.

10 **SEC. 7.** The funding for the implementation of this Act shall be included in the
11 annual budget of the municipal government of Cabagan. The DOT may augment such
12 allocation with internally-generated funds.

13 **SEC. 8.** Within ninety (90) days from the effectivity of this Act, the Council shall, in
14 consultation with the municipal government of Cabagan, DOT, DENR and concerned
15 agencies of the government, promulgate rules and regulations to implement this Act.

16 **SEC. 9.** If any part or provision of this Act is declared unconstitutional or invalid, the
17 other parts or provisions not affected shall remain in full force and effect.

18 **SEC. 10.** All laws, executive orders, presidential decrees, rules and regulations or
19 parts thereof contrary to or inconsistent with any of the provisions of this Act are hereby
20 repealed or amended accordingly.

21 **SEC. 11.** This Act shall take effect fifteen (15) days after its publication in the
22 *Official Gazette* or in a newspaper of general circulation.

Approved,