

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

Seventeenth Congress  
First Regular Session

HOUSE BILL NO. **3613**



Introduced by Representatives  
**FRANZ E. ALVAREZ, FREDERICK F. ABUEG, GIL P. ACOSTA SR.**

**EXPLANATORY NOTE**

This bill seeks to declare the Pag-asa Island and its adjoining islands of Parola, Kota and Panata, collectively referred to as the Pag-asa Island Cluster in the Municipality of Kalayaan, in the Province of Palawan which sit well within the territory of the Republic of the Philippines, as a special ecological tourism zone to promote and develop the Pag-asa Island Cluster as a tourists destination for domestic and international tourists while protecting its natural resources and diverse flora and fauna species. In addition, it also seeks to declare the islands of Parola, Kota and Panata as protected area under the National Protected Areas System (NIPAS).


The Pag-asa island located 480 kilometers off southwestern Palawan and the second largest island in the whole of Kalayaan Island Group (Spratlys) in the West Philippines Sea. With its impeccable beauty, the island is an ideal tourist destination. The rich biodiversity and Filipino heritage of the island truly reflects the beauty of a paradise that our country should be proud of.

This proposed measure seeks to provide the necessary support to the efforts of the Municipal Government of Kalayaan by declaring it an ecological tourism area. By this, there shall be created the Pag-asa Island Ecotourism Cluster Governing Board which shall be chaired by the Governor of Palawan. This Board shall rationalize all efforts pertaining to environmental protection and making the tourism industry a major source of livelihood and an avenue for the generation of employment.

This proposed measure also mandates the Pag-asa Island Ecotourism Cluster Governing Board in coordination with the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) to prepare an ecotourism master plan to ensure the promotion of tourism, the generation of employment and most importantly, the protection and preservation of its environment and ecosystem.

This bill also highlights the recent South China Sea Arbitration Award of 12 July 2016 of the Permanent Court of Arbitration (PCA) in The Hague where it declared that the Ayungin Reef (Second Thomas Shoal), one of the islets of the Municipality of Kalayaan, is located within 200 nautical miles of the Philippines and China, xxx Second Thomas Shoal form part of the exclusive economic zone and continental shelf of the Philippines." Moreover, Supreme Court Senior Associate Justice Antonio Carpio, a member of the legal team that prepared of the Philippines case before the PCA, believes that the *"the government should push for a peace agreement with China and other claimants in the Spratlys (where Kalayaan group of islands belong) by declaring the area as an international marine park and protected area, as originally suggested by American marine Biology professor John McManus"*.

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

  
FRANZ E. ALVAREZ

  
FREDERICK F. ABUEG

  
GIL P. ACOSTA SR.

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**AN ACT**  
**DECLARING PAG-ASA ISLAND CLUSTER IN THE MUNICIPALITY OF KALAYAAN,**  
**PROVINCE OF PALAWAN AS AN ECOTOURISM DESTINATION AND PROTECTED AREA,**  
**PROVIDING FUNDS THEREFOR, AND FOR OTHER PURPOSES**

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

**SECTION 1. Declaration of Policy.** It is hereby declared the policy of the State to promote a sustainable ecotourism industry to attract local and foreign tourists to secure the country's share in the world tourism market and to make it an avenue for generation of employment while ensuring the environmental protection and preservation of the area.

**SEC. 2. The Pag-asa Island Ecotourism Cluster and Protected Area.** The Pag-asa island and its adjoining islands of Parola, Kota and Panata are hereby declared an ecotourism destination and the islands of Parola, Kota and Panata are hereby declared as protected areas under the National Integrated Protected Areas System (NIPAS). The Department of Environment and Natural Resources (DENR) shall within ninety (90) days after the approval of this Act, make inventory of the existing flora and fauna in Pag-asa Island Cluster that shall serve as the basis for the creation of the master plan as provided in this Act.

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 education and ethics as well as economic benefits are fostered and pursued for the enrichment of host communities and satisfaction of visitors.

**SEC. 3. Pag-asa Island Ecotourism Cluster Governing Board.** For the purpose of Section 2 of this Act, an ecotourism governing board, to be known as the Pag-asa Island Ecotourism Cluster Governing Board, is hereby created. The Board shall be composed of the following:

- A. Governor of Palawan as Chairperson;
- B. Representative of the First Legislative District of Palawan;
- C. DENR MIMAROPA Regional Director as Vice Chairperson;
- D. Department of Tourism (DOT) MIMAROPA Regional Director as Vice Chairperson;
- E. Mayor of the Municipality of Kalayaan;
- F. Barangay Chairperson of Pag-asa Island;
- G. Armed Forces of the Philippines (AFP) Western Command Commander;
- H. Palawan Council for Sustainable Development (PCSD) Executive Director;
- I. One (1) member of an accredited civil society organization (CSO) involved in conservation;
- J. One (1) tenured science professor of a state university; and
- K. One (1) representative from the private sector.

The Governing Board shall prepare the rules and regulations necessary for the full implementing by the concerned local government until 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.

**SEC. 4. *Pag-asa Island Cluster Ecotourism Master Plan.*** The Pag-asa Island Ecotourism Cluster Governing Board, in coordination with the Tourism Infrastructure and Enterprise Zone Authority (TIEZA), shall within one hundred twenty (120) days from approval of this Act, prepare, develop and implement the Ecotourism Master Plan to be approved by the President of the Republic of the Philippines.

**SEC. 5. *Appropriations.*** The Secretary of the DOT shall include in the Department's program the implementation of this Act, and the amount necessary to carry out the provisions of this Act shall be taken from the current appropriation of the Department and shall be included in the General Appropriations Act of the year following its enactment into law and thereafter.

**SEC. 6. *Repealing Clause.*** All laws, rules, regulations, executive orders, presidential decrees or any other issuance contrary to or inconsistent with any of the provisions of this Act are hereby deemed repealed or modified accordingly.

**SEC. 7. *Separability Clause.*** If any provision or part of this Act shall be declared unconstitutional, the remaining provisions which are not affected shall remain in full force and effect.

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

Approved.