

**Republic of the Philippines**  
**HOUSE OF REPRESENTATIVES**  
*Quezon City, Metro Manila*

**SEVENTEENTH CONGRESS**  
**First Regular Session**

**House Bill No. 3727**



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**INTRODUCED BY REPRESENTATIVE**  
**MARIA VIDA ESPINOSA BRAVO**

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**EXPLANATORY NOTE**

With a declared policy of tourism being harnessed as an engine of socio-economic growth, cultural affirmation to generate investment, foreign exchange and employment and to continue to mold an enhanced sense of national pride for all Filipinos, Republic Act No. 9593 or the Tourism Act of 2009 was enacted into law. The said law sought to create nationwide Tourism Enterprise Zones (TEZs). These are areas of historical and cultural significance, environmental beauty, or existing or potential integrated leisure facilities.

Other than TEZs under Republic Act No. 9593, the local governments, along with their representatives, seek the declaration of certain areas in their districts, cities or municipalities to become special ecotourism zones (SEZs) or special cultural-heritage ecotourism zones.


While with such declaration, the areas identified as SEZs or TEZs would be prioritized for development, the accompanying area conservation thereof leads to its areas, mostly lands of public domain, becoming inalienable. This is true even if these lands are suitable for agricultural, residential, or even commercial purposes. Such is not fair, especially to farmers, who have long possessed such lands, and are merely waiting for the lapse of time to apply for free patent thereto.

Under this draft measure, the Department of Environment and Natural Resources (DENR) would allow the issuance of a free patent over a parcel of land in a SEZ or TEZ to a citizen of the Philippines. This provided that said grantee has for at least thirty (30) years has continuously occupied and/or cultivated the land, either by himself or through his predecessors-in-interest. Also, the said person should have paid the real estate tax on the land. An individual shall be entitled to a tract of land not to exceed twelve (12) hectares.

Forestlands, including caves and cave resources, shall be exempted for ecological and rational land use considerations. These shall continue to be protected forestlands and inalienable portions of the public domain. These shall be conserved, preserved and its use, regulated.

With this bill, there would be a balance between promotion of tourism, local development, environment conservation, and equitable distribution of opportunities, especially to underprivileged local farmers.

It is in this view that the immediate passage of the bill is earnestly sought.



**MARIA VIDA ESPINOSA BRAVO**  
*Representative*  
**First (1<sup>st</sup>) District of Masbate**

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
*Quezon City, Metro Manila*

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 727

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INTRODUCED BY REPRESENTATIVE  
MARIA VIDA ESPINOSA - BRAVO

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AN ACT  
ESTABLISHING A MODE OF ACQUISITION AND  
DISPOSITION FOR AGRICULTURAL LANDS WITHIN  
TICAO AND BURIAS ISLANDS, PROVINCE OF  
MASBATE DECLARED AS SPECIAL ECO-TOURISM  
ZONES OR TOURISM ENTERPRISES ZONES,  
PROVIDING ENVIRONMENTAL SAFEGUARDS  
THEREFOR, AND FOR OTHER PURPOSES

*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 “Ticao-  
2       Burias Ecotourism Zones Alienable Lands Act of 2016”.

3       **SEC. 2.** *Declaration of Policy.* – It is hereby declared the policy of the  
4       State to provide for a more equitable distribution of opportunities, income and  
5       wealth, specifically for lands forming part of its public domain which have  
6       been classified as alienable and disposable located within areas declared as  
7       special ecotourism zones (SEZs), including cultural heritage ecotourism zones  
8       and/or tourism enterprises zones (TEZs), but at the same time protect and  
9       conserve the country's natural resources, and continue to promote tourism and  
10      local development.

1           **SEC. 3. Coverage.** - The provisions of this Act shall apply to the parcels  
2 of land of the public domain located in the SEZs or TEZs of Ticao and Burias  
3 Islands, delineated and declared as agricultural lands open to disposition for  
4 agricultural, residential, commercial, industrial or other productive purposes:  
5 *Provided, however,* That, the Department of Environment and Natural  
6 Resources (DENR) in coordination with the National Mapping and Resource  
7 Information Authority (NAMRIA) and the local government units (LGU's)  
8 concerned shall conduct a mandatory review of the classification; and have  
9 been in the possession of individuals and whose real property taxes thereon  
10 are being paid for at least thirty (30) years before the effectivity of this Act.  
11 Such review shall be made as basis for the confirmation or correction, as the  
12 case may be, of the technical description of the land for disposition. Moreover,  
13 during the pendency of such review, individuals possessing such parcels of  
14 land and paying the real estate taxes thereon for at least thirty (30) years shall  
15 be accorded the right to possession.

16           The aforementioned agricultural lands are likewise hereby excluded  
17 from the operation of Presidential Proclamation No. 1801, dated 10 November  
18 1978, entitled "Declaring Certain Islands, Coves and Peninsulas as Tourist  
19 Zones and Marine Reserves under the Administration and Control of the  
20 Philippine Tourism Authority".

21           **SEC. 4. Mode of Acquisition.** -The DENR shall alienate the agricultural  
22 lands identified in Section 2 hereof, subject to the limitations provided for in  
23 this Act, through the issuance of a free patent over any parcel thereof to any  
24 citizen of the Philippines who for at least thirty (30) years prior to the  
25 effectivity of this Act has continuously occupied and/or cultivated either by

1 himself or through his predecessors-in-interest, or who shall have paid the real  
2 estate tax thereon. Such qualified person shall be entitled under this Act to  
3 have a free patent issued to him for such tract of land not to exceed twelve  
4 (12) hectares per applicant: *Provided*, That the DENR shall also reserve lands  
5 or lots of sufficient size and strategic location to the municipal government  
6 and other agencies of the national government for essential public purposes  
7 and/or services such as school buildings, public plazas, health centers and  
8 similar offices and similar purposes including necessary avenues, streets and  
9 alleyways: *Provided, further*, That any title that may be issued over lands for  
10 public purpose shall be in the name of the Republic of the Philippines and all  
11 roads, avenues, streets, alleyways shall be in the name of the municipal  
12 government. The provisions of Commonwealth Act No. 141, as amended,  
13 otherwise known as the "Public Land Act", not inconsistent herewith, shall be  
14 applicable.

15       **SEC. 5. Protected Forest Lands.** - Areas of the public domain within  
16 the SEZs or TEZs classified as forestlands pursuant to pertinent laws,  
17 including caves and cave resources, shall be exempted for ecological and  
18 rational land use considerations and shall continue to be protected forestlands  
19 and inalienable portions of the public domain. Such forestlands shall be  
20 conserved, preserved and regulated by the DENR, jointly with the city or  
21 municipal government, and concerned national agencies pursuant to the  
22 provisions of Presidential Decree No. 705, as amended, otherwise known as  
23 the "Revised Forestry Code of the Philippines", Republic Act No. 9072,  
24 otherwise known as the "National Caves and Cave Resources Management  
25 and Protection Act" their implementing rules and regulations, as well as other

1 pertinent laws, proclamations, issuances and administrative orders on  
2 conservation and environmental protection.

3       **SEC. 6. *Strict Regulation of the Utilization and Development.*** - The  
4 utilization and development of all areas in Ticao and Burias Islands along the  
5 SEZs or TEZs shall be strictly regulated by the DENR pursuant to all laws  
6 and statutes on the utilization and protection of natural resources and the  
7 environment, and must strictly comply with the land use plan approved by the  
8 local government unit and the requirements imposed by existing DENR rules,  
9 regulations and other issuances, taking into consideration the sustainable use  
10 and development of the area and at all times with utmost respect to the right  
11 of indigenous cultural communities to their ancestral lands. For the safety of  
12 the local communities and tourists, the development of the SEZs or TEZS  
13 shall also take into consideration the hazard-prone areas of the vicinity. No  
14 development shall take place for areas identified as highly susceptible to  
15 natural hazards even though it is within the parcels of land delineated and  
16 declared as agricultural.

17       **SEC. 7. *Penalty.*** - The penalty of six (6) years imprisonment or a fine  
18 of Three hundred thousand pesos (P300,000.00) or both at the discretion of  
19 the court shall be imposed upon any person who shall violate the provisions  
20 of this Act. Should the offending party be a government official or employee,  
21 he shall suffer, in addition to the aforementioned penalties, perpetual absolute  
22 disqualification to hold public office.

23       **SEC. 8. *Implementing Rules and Regulations.*** - Within ninety (90) days  
24 from the effectivity of this Act, the DENR in coordination with the NAMRIA,  
25 all local government units, government agencies, private organizations, non-

1 government organizations concerned and other stakeholders shall issue the  
2 rules and regulations necessary to effectively implement the provisions of this  
3 Act.

4 **SEC. 9. *Separability Clause.*** - If any provision or part hereof, is held  
5 invalid or unconstitutional, the remainder of the law or the provision not  
6 otherwise affected shall remain valid and subsisting.

7 **SEC. 10. *Repealing Clause.*** - All laws, decrees, orders, rules and  
8 regulations, or parts thereof inconsistent with the provisions of this Act are  
9 hereby deemed repealed or modified accordingly.

10 **SEC. 11. *Effectivity.*** - This Act shall take effect after fifteen (15) days  
11 from its publication in at least two (2) national newspapers of general  
12 circulation

**APPROVED.**