13TH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

HOUSE OF REPRESENTATIVES

House Bill No. 1207

INTRODUCED BY **HON. CYNTHIA A. VILLAR**

EXPLANATORY NOTE

Our country's archipelagic character has endowed us with a wide array of tourism attractions ranging from majestic volcanoes, lush tropical forests, breath-taking waterfalls, magnificent seascapes, spectacular coral reef formations, and many other rare attractions endemic only in the Philippines.

This, however, should not blind us from the alarming state of degradation of our environment and our people's cultural traditions. Side by side with tourism growth, our forests are being denuded at the rate of 25 hectares per hour. Only an estimated 119,000 has. of our country's mangrove forests remain. Of the 423 rivers being monitored by the government, about half are already polluted, 40 of which are declared biologically dead. Erosion of the cultural traditions go unabated as more members of our indigenous cultural communities are tempted into cultivating marijuana in their ancestral lands for livelihood.

The great irony of having tourism growth rate but getting as well a damaged environment is a major problem that this measure seeks to address. The bill proposes an ecotourism policy that would lay down a tourism framework based on a well-crafted balance between economic growth and environmental protection. It creates a National Ecotourism Commission which shall formulate and implement an Ecotourism Masterplan with the assistance of the Department of Tourism and the Department of Environment and Natural Resources. The bill also proposes a network of ecotourism sites which would be included in the Integrated Protected Areas System under R.A. No. 7586.

Given importance in this measure is the role of the local communities including the indigenous cultural communities as stewards of the environment in their respective localities. By doing so, it is hoped that they shall also benefit from the profits generated from ecotourism activities.

The richness of our resources could only be optimally utilized if they are best protected. Tourism would yield the most profits if it ensures the primary of the environment and the preservation of the culture of our people. It is but time that we reorient our tourism goals to a low-impact and sustainable type of tourism before nothing else would be left to us.

Approval of the bill is therefore earnestly sought.

CYNTHIA A. VILLAR

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AN ACT PROVIDING FOR A NATIONAL ECOTOURISM POLICY, ESTABLISHING A FRAMEWORK FOR ITS INSTITUTIONALIZATION, CREATING MECHANISM FOR ITS IMPLEMENTATION AND FOR OTHER PURPOSES

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

SECTION 1. *Short Title.* - This Act shall be known as the "National Ecotourism Policy Act of 2004."

SEC. 2. *Declaration of Policy.* - It is declared the policy of the State to ensure the right of the people to a balanced and healthful ecology through the promotion of activities geared towards environmental protection and conservation, to establish a framework for the utilization of natural sites for tourism purposes ensuring a balance between economic development and resource enhancement, to encourage non-government organizations, people's organizations and the private sector to take the lead in initiating programs for tourism development and environmental protection, and to enlist the participation of local communities including the indigenous peoples by providing them the necessary assistance in the determination of ecotourism sites and ensuring their right to the full enjoyment of the benefits thereof;

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SEC. 3. *Network of Ecotourism Sites.* - There are hereby identified areas which shall comprise the network of ecotourism sites established under this Act. The sites shall include, but not necessarily be limited to, areas within the Integrated Protected Areas System as identified under Republic Act No. 7586, and other areas with significant and relevant cultural heritage to be identified by the Commission hereinafter created.

SEC. 4. *National Ecotourism Commission.* - There is hereby created a National Ecotourism Commission to be composed of one representative each from accredited non-government organizations and people's organizations engaged in ecotourism, one recognized indigenous people's federation, reputable travel organizations, the academe and the organization representing the local government chief executives.

The Commission shall be headed by a Chairman who must have a minimum of seven (7) years of experience in ecotourism activities and environmental protection. The Chairman and the members of the Commission shall be appointed by the President for a term of five (5) years, renewable for another term.

The Department of Tourism and (DOT) the Department of Environment and Natural Resources (DENR) shall assist the Commission in its task of pursuing the objectives established in this Act.

SEC. 5. *Functions and Responsibilities of the Commission.* - The Commission shall be responsible for the following:

a) Review and periodically update the existing Ecotourism Masterplan and supervise the implementation of the corresponding programs and activities therein;

b) Assess and evaluate the potential impact of development to the environmental integrity of areas to be included in the Network of Ecotourism Sites, through the conduct of Environmental Impact Assessments under Presidential Decree No. 1586 and its implementing rules and regulations;

c) Conduct consultations with the local population to be affected by ecotourism development to integrate their cultural values and beliefs in ecotourism plans and programs which may be formulated through their own initiatives;

d) Provide technical and financial assistance to communities which are included in the network of ecotourism sites established under this Act;

e) Formulate rules and regulations which shall prohibit poaching activities, collection of wildlife species and the purchase of authentic cultural and anthropological possessions and artifacts and other activities which unnecessarily utilize forest and aquatic resources in identified ecotourism sites; and

f) Perform such other activities as may be necessary to carry out the objectives of this Act.

SEC. 6. *Role of Local Communities.* - The local communities as well as the indigenous communities to be affected by the development of ecotourism sites shall actively participate in the formulation of ecotourism plans with the assistance of the Commission. They may declare their own localities as part or included in the network of ecotourism sites.

The local communities shall directly receive the proceeds of ecotourism activities in their respective areas as well as the preference in the employment opportunities that will be generated therefrom; *Provided*, that the local communities shall set aside a portion of the aforementioned proceeds sufficient to provide for the protection and conservation of the environment in the ecotourism site.

SEC. 7. *Codes of Ecotourism Practice and Ethics.* - The Commission shall formulate a Code of Ecotourism Practice and Ethics six (6) months after the approval of this Act, after a series of consultations with the concerned and affected sectors of the tourism industry as well as the affected communities and indigenous peoples.

SEC. 8. *Ecotourism Fund.* - To carry out the purposes of this Act, there shall be created a-special fund called the Ecotourism Fund which shall be sourced from at least twenty percent (20%) of the gross receipts of the Travel Tax of the preceding year and such other sources or savings as the government may deem appropriate.

SEC. 9. *Appropriations.* - Such amount as may be necessary to defray the expenses of the Commission in the implementation of this Act shall be appropriated in the current General Appropriations Act. Thereafter, the amount shall be regularly sourced from the annual General Appropriations Act.

SEC. 10. *Separability Clause.* - If any portion of this Act is declared unconstitutional or invalid, any provision not affected thereby shall remain in full force and effect.

SECTION 11. *Repealing Clause.* – All laws, decrees, orders, issuances, or parts thereof that are inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 12. *Effectivity Clause.* - This Act shall take effect fifteen days after its publication in the *Official Gazette* or in any two (2) national newspapers of general circulation.

Approved,