

Republic of the Philippines
House of Representatives
Quezon City

15th CONGRESS
FIRST REGULAR SESSION

HOUSE BILL NO. 1349

Introduced by: Hon. Aurora Enerio-Cerilles

EXPLANATORY NOTE

The Philippines, being archipelagic in nature, has small islands that are home to numerous plants and animal species. These small islands are fragile and vulnerable because of conflicts in uses, intense and frequent natural and environmental disasters, and indiscriminate human intervention that trample vegetation and disturb wildlife.

Aside from environmental impacts, small islands are also faced with social consequences. Thus, there is a need for careful comprehensive planning to protect the resources of small islands from degradation and destruction, and to preserve social or cultural impacts that may arise because of development.

Appropriate scale of development must be determined by the most limited resources such as water and coastal lands. Careful allocation to the most appropriate use or combination of uses must be given importance and sustainable development should take place in order to conserve the small islands' biodiversity.

Presently, there are agencies that manage and give privileges to individuals or groups in utilizing small islands. But due to the limitations and conflicts of jurisdiction of agencies, they cannot monitor all aspects of development and management of these islands towards socio-economic and environmental sustainability.

In view of this, the proposed bill aims to regulate the development and management of small islands in the Philippines for the purpose of enhancing sustainability of these islands through the reduction of vulnerability to natural hazards and preservation of socio-cultural and ecological integrity. The approval of this bill will ensure equitable access of benefits from the management and development of the small island thereof.

I earnestly seek the immediate passage of this very urgent and important bill.


AURORA ENERIO-CERILLES

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14
15 AN ACT REGULATING THE DEVELOPMENT AND MANAGEMENT OF SMALL
16 ISLANDS IN THE PHILIPPINES
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18 **SECTION 1. Short Title** – This Act shall be known as the “Small Island Development
19 and Management Act”.

20
21 **SECTION 2. Declaration of Policy** – It is hereby declared the policy of the State to
22 ensure the sustainable use, development, management, and conservation of the
23 country's small islands, including the protection and enhancement of the quality of the
24 small islands for the present and future generations, under the principles of social
25 equity, economic growth and efficiency, and sustainability.
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27 **SECTION 3. Coverage** – In accordance with the aforesaid policy, the coverage of this
28 Act will be the rest of the islands of the Republic of the Philippines that fall under the
29 definition of a small island described in Section 5 (e) hereof.
30

31 **SECTION 4. Scope** – This Act shall serve regulate the use, development, management,
32 and conservation of small islands, as well as activities which bear impact on the said
33 resource.
34

35 **SECTION 5. Framework** – This Act shall embody the principles of sustainable
36 development, tourism development, economic growth, environmental protection,
37 community development and involvement, and institutional strengthening.
38

39 Its management framework shall include:

- 40 a. Inventory and assessment of prevailing conditions and resources of small islands;
41 b. Evaluation of carrying capacity;
42 c. Identification of conflicts in resource use;
43 d. Integration of horizontal and vertical plans;
44 e. Adaptation to climate change;
45 f. Disaster preparedness;
46 g. Review and monitoring of development initiatives/resource development and
47 utilization of small islands; and
48 h. Capacity-building and active stakeholder participation.
49

50 **SECTION 6. Definitions** – Under this Act, the following terms shall mean:
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- 52 a. **Alienable and Disposable Lands (A and D)** – refer to lands of the public domain
53 which have been classified and declared as such and available for disposition

under Commonwealth Act No. 141 as amended, otherwise known as the Public Land Act;

- b. **Carrying Capacity** – refers to the number of individuals who can be supported in a given area within natural resource limits, and without degrading the natural social, cultural and economic environment for present and future generations;
- c. **Development Activities** – refer to activities that involve all forms of improvement, construction, or enhancement of land and other resources within the islands/island groups that would likely have environmental impact/s;
- d. **Ecological Destination** – refers to a site that shows a unique feature of a landscape that benefit people because of its aesthetic, recreational, and scientific value;
- e. **Small Islands** – refer to pieces of land completely surrounded by water in two dimensions, above high tide, and isolated from other land masses which have an area of not more than 50,000 hectares;
- f. **Sustainable Development** - refers to the development objective of meeting the needs and aspirations of the present generation of Filipinos without compromising the capabilities and opportunities of future generations to fulfill theirs, consistent with the principles of social equity, efficiency and environmental integrity; and
- g. **Tourism Development Areas** - refer to specific sites for tourism development located in areas identified as priorities in the national and regional tourism master plans as well as those designated through legislative and executive issuances as tourist spots and tourist zones which can be developed into tourism estates or integrated resort, leisure, and recreation complexes, and other tourism-related facilities.

SECTION 7. Creation of the Small Island Development and Management Board (SIDMB) – Upon the effectivity of this Act, the Small Island Development and Management Board shall be created in provinces that have small islands as part of their territorial jurisdiction to exercise their powers and functions as stated in Section 8 hereof.

SECTION 8. Composition of the Small Island Development and Management Board – The Board shall be composed of the following:

- a. Governor of the Province as the Chairman of the Board;
- b. Representatives of the following, as members:
 - 1. City or municipal mayors with small islands as part of their territorial jurisdiction;
 - 2. Department of Tourism (DOT);
 - 3. National Economic Development Authority (NEDA);
 - 4. Department of Environment and Natural Resources (DENR); and
 - 5. Two (2) Representatives from local sectors which are affected by regulations and development initiatives in the island.

SECTION 9. Powers and Functions of the Board – the SIDMB shall be guided by the framework stated in Section 6 hereof and shall have the following powers and functions:

- a. Formulate and update the rules and regulations on the utilization and development of small islands;
- b. Integrate and harmonize all laws and policies relevant to small island use;
- c. Regulate the approval of development activities in order to maintain the carrying capacity of a small island as mentioned in Section 5 hereof;

- 1 d. Ensure the protection of all small islands covered by RA No. 7586 otherwise known
2 as the National Integrated Protected Areas Systems Act (NIPAS) and other areas
3 outside NIPAS which include protection forests, rehabilitated and/or reforested
4 degraded mining areas, critical ecosystems, environmentally-constrained areas,
5 critical watershed areas, and all agricultural lands that are ecologically fragile;
6 e. Ensure that the regulations will be consistent with other environmental laws; and
7 f. Approve and oversee the implementation of site specific work plans, action plans,
8 and programs consistent with the framework.
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10 **SECTION 10. Quorum** – A majority of all the Members of the Board shall constitute a
11 quorum. The Board shall not transact business without a quorum.
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13 **SECTION 11. Separability Clause** – If, for any reason or reasons, any parts or
14 provisions of this Act shall be declared or held to be unconstitutional or invalid other
15 parts or provisions hereof which are not affected thereby shall continue to be in full force
16 and effect.
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18 **SECTION 12. Repealing Clause** – All general and special laws, Acts, executive
19 orders, proclamations and administrative regulations, or any, parts which are
20 inconsistent with this Act are hereby repealed or modified accordingly.
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22 **SECTION 13. Effectivity Clause** – This Act shall take effect fifteen (15) days after its
23 publication in at least two (2) newspapers of general circulation.
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25 **Approved.**