



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

Sixteenth Congress
First Regular Session

HOUSE BILL NO. 1747



Introduced by Honorable Damian Gaviola Mercado

EXPLANATORY NOTE

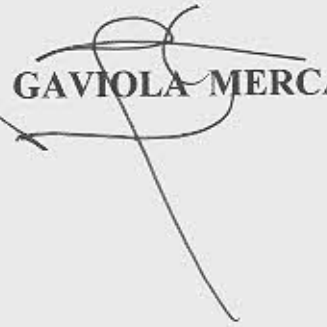
Tourism is without a doubt a potent tool for economic development. The revenues that tourists pour unto a particular locality could be a rich source of funds for local or national development.

If tourism will be left unattended by authorities, the economic potential thereof could not be tapped for the benefit of everybody. National agencies task to develop the overall national tourism potential are faced with a gargantuan job, which often resulted in the neglect of other tourist spots.

To address this dilemma, a local agency should be created to concentrate on developing the tourism potential of the historic Limasawa Island in Southern Leyte where as we all know the First Mass in the Philippines was celebrated centuries ago. The long delayed development of Limasawa Island has persisted even after years of passing R.A. 7822, which mandates the development of the said place as a tourism spot.

In view of the foregoing, passage of this bill is hereby being earnestly sought.

DAMIAN GAVIOLA MERCADO





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AN ACT
CREATING THE LIMASAWA TOURISM DEVELOPMENT AUTHORITY

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

SECTION 1. *Declaration of Policy.* It is hereby declared to be the policy of the Government to make the tourist industry a positive instrument towards accelerated national and local development, through which more people from other lands may visit and better appreciate the Island of Limasawa in Southern Leyte and through which the Filipinos themselves may learn more about the natural beauty, historical and cultural significance of the island being the site of the historic First Mass in the Philippines.

SECTION 2. *Creation of Limasawa Development Authority.* To formulate and implement the tourism development program of Limasawa Island in Southern Leyte, in line with existing programs of the Department of Tourism, there is hereby created a Limasawa Development Authority, hereinafter referred to as the Authority, which shall be attached to the Department of Tourism. The functions of the Authority are hereby declared to be governmental.

SECTION 3. *Purpose and Specific Powers.* The purpose and specific powers of the Authority are as follows:

- a. Implement all policies and programs of the Department of Tourism focusing on the Island of Limasawa;
- b. Collect such taxes as may be provided by law;
- c. Operate and/or contract to operate such agencies, functional units, offices and sections of the Authority as it may deemed necessary or useful for the furtherance of any of the purpose of this Act;
- d. Extend assistance whenever necessary to private enterprise in undertaking tourism projects;
- e. Undertake the development of tourist attractions including the conduct of feasibility studies and where necessary, recommend agreements for tourist plant and facilities development with private entities;
- f. Provide and maintain essential facilities for tourist and travelers where private enterprise is not prepared to take care of them; and
- g. Adopt, alter and use a corporate seal which shall be judicially noticed; make contracts, lease, own or otherwise dispose of personal and real property; sue and be sued; and otherwise do and perform any and all things that may be necessary or proper to carry out the purpose of this Act.

SECTION 4. *Capitalization.* The capital of the Authority shall consist of (1) an amount to be included in the General Appropriations of the Department of Tourism the size of which shall be determined by the Department upon the recommendation of the Provincial Tourism Officer with the concurrence of the district representative, (2) taxes that the Authority may collect such as hotel room taxes and other taxes that the Authority is allowed to collect under existing laws and regulations and (3) income that may accrue from joint venture investment with private entities.

SECTION 5. *Power to Bonds or Incur Indebtedness.* Whenever the Board may deem it advisable and necessary for the Authority to contract loans, credits and other indebtedness, or to issue bonds, notes, debentures, securities, and other instruments of indebtedness for the development and/or operation of the tourist industry, it shall by resolution so manifest and declare stating the purpose for which the indebtedness is to be applied and citing the project study devised for the purpose. In order for such resolution to be valid, it shall be passed by the affirmative vote of at least four members of the Board and approved by the President of the Philippines upon the recommendation of the Secretary of Finance, after consultation with the National Economic and Development Authority and the Monetary Board of the Bangko Sentral ng Pilipinas.

SECTION 6. The Authority shall be administered by a General Manager who shall be appointed by the President from among the persons of proven executive competence and experience in the field of tourism development.

SECTION 7. *Board of Directors.* The corporate power of the Authority shall be vested in and exercised by a Board of Directors composed of the Secretary of Tourism as Chairman, the General Manager as Vice Chairman and three part-time members who shall be appointed by the President for their expertise.

SECTION 8. *Tenure of Office.* The tenure of office of the members shall be six years: Provided, That in the first appointments, the term of office of the three members appointed by the President shall be fixed as follows: one member for six years, one member for four years, and the third for two years: Provided, finally, That no vacancy shall be filled except for the unexpired portion of the term.

SECTION 9. Meetings and Quorum. The Board shall meet regularly once a month and as often as the exigency of the service demand. The presence of at least three members shall constitute a quorum, and the vote of three members

shall be necessary for the adoption of any rule, resolution or decision or any other act of the Board.

SECTION 10. *Compensation of Chairman and Members of the Board.* The members of the Board shall receive such per diems and allowances as may be fixed by the President.

SECTION 11. *Powers and Duties of the Board.* The Board shall have the following powers and duties:

- a. To promulgate policies and to prescribe such rules and regulation as may be necessary to implement the intent and provisions of this Act, which rules and regulation shall take effect thirty (30) days following their publication in two (2) newspapers of general circulation in the Philippines;
- b. To approve the annual budget and such implemental budgets which may be submitted to it by the Chairman
- c. Upon the recommendation of the General Manager, to organize, and determine the Authorities staffing pattern; to fix their salaries and to define their powers and duties;
- d. Notwithstanding the provisions of law, rules and regulations to the contrary, to enter by itself into any contract or agreement as may be necessary for the proper, efficient and stable administration of the Authority and for the attainment of the purpose and objectives of this Act
- e. To render annual reports to the President and such special reports as may be requested; and
- f. Generally, to exercise all the powers necessary or incidental to attain the purpose of this Act

SECTION 12. *General Manager: Powers and Duties.* The General Manager shall have the following powers and duties:

- a. To direct and manage the affairs of the Authority in accordance with the policies of the Board;

- b. To prepare the agenda for the meeting of the Board and submit for its consideration and approval the policies and measures which he deems necessary and proper to carry out the provisions of this Act;
- c. To submit within thirty (30) days after the close of each fiscal year an annual report to the Board and such other reports as may be required;
- d. To submit an annual budget and necessary supplemental budgets to the Board for its approval;
- e. To establish the internal organization of the Authority under such conditions that the Board may prescribe; Provided, That any major reorganization shall be subject to the approval of the Board; and
- f. To perform such other duties as may be assigned to him by the Board.

SECTION 13. *Applicability of the Civil Service Law.* All officials and employees of the Authority, except technical and professional personnel, shall be subject to Civil Service Law, rules and regulations.

SECTION 14. *Appointment by the Board.* Employees of the Authority shall be appointed by the Board, upon recommendation of the General Manager, to positions in the approved budget using as guide the standards set forth in the Civil Service Law and Rules.

SECTION 15. This act shall take effect fifteen (15) days after publication in at least (2) national newspapers of general circulation.

Approved,