

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

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 4956



Introduced by **HON. RENE L. RELAMPAGOS**
First District, Bohol

EXPLANATORY NOTE

Being an archipelagic country, the Philippines is dependent mainly on coastal and marine resources as one of its primary sources of livelihood. We have a total coastline of 36,289 km and 226,000 square kilometers of coastal waters, making it fourth with the longest coastline in the world. Sixty per cent (60%) of the country's municipalities and almost all major cities are coastal. By 2015, it is estimated that almost 51 million Filipinos will be living in coastal areas.

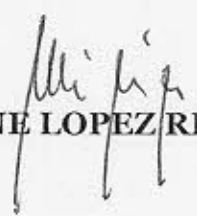
Despite the fact that these coastal resources play a critical role in the livelihoods of coastal communities and in the nation as a whole, we have not given so much importance in the management and preservation of our marine resources as evidenced by the lack of funding. To date, over 70% of our coral reefs are in poor condition and of the 450,000 hectares of mangroves in 1918, less than 140,000 hectares exist today. The destruction and exploitation of our coastal marine resources have led to lesser fish catch, loss of marine biodiversity and declining fish stocks resulting to the decline in income of our fishermen. More importantly, the declining stocks of marine resources may not be enough to sustain the needs of our growing population in the near future.

Clearly, local government units (LGUs) along coastal areas have to maintain, protect and preserve the municipal waters within their territories before it's too late. An LGU with a wide coastline, therefore, needs to spend more to ensure that the ecological balance of its municipal waters are maintained or protected for the benefit of the next generation of Filipinos.

Under Section 285 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, allocations of LGUs are based only on population, land area and equal sharing. This formula, however, does not accurately reflect, and in fact does injustice, to the governance needs of coastal LGUs with sizeable municipal waters.

It is for this reason that this bill seeks to factor in the size of an LGU's municipal waters in the formula used to determine the share of each municipality in the internal revenue allotment (IRA) to ensure that they have adequate funds to manage and protect their marine wealth.

The passage of this bill is earnestly sought.


RENE LOPEZ RELAMPAGOS

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AN ACT
AMENDING REPUBLIC ACT NO. 7160 FOR THE PURPOSE OF INCLUDING
MUNICIPAL WATERS IN THE COMPUTATION OF A LOCAL
GOVERNMENT UNIT'S INTERNAL REVENUE ALLOTMENT

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

SECTION 1. Section 285 of Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," is hereby amended as follows:

"SECTION 285. Allocations to Local Government Units. – The share of local government units in the internal revenue allotment shall be allocated in the following manner:

- a. Provinces – Twenty-three percent (23%);
- b. Cities – Twenty-three percent (23%);
- c. Municipalities – Thirty-four percent (34%); and
- d. Barangays – Twenty percent (20%)

Provided, however, that the share of each province, city and municipality shall be determined on the basis of the following:

- a. Population – Fifty percent (50%);
- b. Land Area and Municipal Water area – (25%); and
- c. Equal Sharing – Twenty-five percent – (25%)

SECTION 2. Definition –

- a. Municipal Waters – as defined under Section 58 of Republic Act No. 8550, includes streams, lakes, and tidal waters within the municipality, not being the subject of private ownership and not comprised within the national parks, public forest, timber lands, forest reserves or fishery reserves. It also pertains to marine waters included between two lines drawn perpendicularly to the general coastline from points where the boundary lines of the municipality or city touch the sea at low tide and a third line parallel with the general coastline and fifteen (15) kilometers from it. Where two (2) municipalities are so situated on the opposite shores that there is less than fifteen (15) kilometers of marine waters between them, the third line shall be equally distant from opposite shores of the perspective municipalities.
- b. Coastal marine resources – includes fish, coral reefs, sea grass beds, mangroves,

and all other aquatic flora and fauna and other living resources of the coastal marine environment

SECTION 3. Repealing Clause – All laws, decrees, executive orders, issuances, rules and regulations, or parts thereof, not consistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 4. Effectivity. – This Act shall take effect fifteen (15) days following the completion of its publication in the Official Gazette or in two (2) national newspapers of general circulation.

Approved,