

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

16th CONGRESS
First Regular Session

HOUSE BILL NO. 5356



Introduced by Representative REGINA ONGSIAKO REYES
Lone District, Marinduque

EXPLANATORY NOTE

Marinduque, known as the smallest province in the Southern Tagalog Region is believed to be located almost at the center of the Philippines. The province is a heart-shaped island which features majestic landscapes and seascapes, historical and cultural wonders, colorful traditions and festivities, and especially a rich natural environment. According to the 2010 Census of the National Statistics Office (NSO), Marinduque features a total land area of 95,258 hectares and a population of 227,828. Despite being small in size, Marinduque promises an unforgettable experience for all those who wish to discover its mysterious but magnificent beauty.

Recognized for its Moriones Lenten Tradition, visitors will surely enjoy the province's colorful and amazing festivities - the "Gigantes" Of Gasan, the "Kanga" Carabao Of Mogpog, the "Ati-Atihan" in Sta. Cruz, the "Tubaan" Of Torrijos and Buenavista. Along with its ancestral traditions and festivals, Marinduque also takes pride with its wonderful environment - seas teeming with abundant marine life with vast stretches of fine white beaches, luxuriant forests abounding with flora and fauna, invigorating sulfur and hot springs, ravishing waterfalls and enigmatic caves, all of these are just waiting for people seeking adventure or just for rest and recreation.

A land immersed in antiquity and unique cultural heritage, Marinduque has stood witnessed to several important events in the Philippines' history. Landmarks had been constructed in honor of the Battle of Paye in Boac and the indomitable Battle of Pulang Lupa in Torrijos, where Marindubeños took part in the triumph against the American colonizers, showing the undying force and tenacity of the Filipino Spirit to the world.

With all these blessings vested into the province, it is inexcusable to see that the tourism arrivals remains to be low every year. With the marvels that Marinduque can offer, there is a need for the National Government and its instrumentalities to provide assistance to conserve, develop and sustain these valuable assets. Tourism is also the outcry of Marindubeños who have been victimized by years of irresponsible mining. The development of the province's

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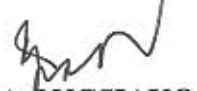
tourism industry is seen as a panacea to the socio-economic damages brought about by the Marcopper Mining Disaster of 1996.

Since 1995, the province still remains to be classified as a 4th income province in Region IV-B¹. Furthermore, in a survey done by the Community Based Monitoring System (CBMS) on 2008, 24,023 out of 49,919 households (48.1%) were considered income poor. Meaning, about 5 in every 10 households in Marinduque is living below the poverty line. Moreover, 2,536 out of 49,919 households (5.1%) have suffered food shortage for the past three months.² These statistics further attest that Marinduque undeniably needs all available resources and support for the development of its tourism industry as this is essential for the advancement and realization of inclusive growth in the province.

This Bill seeks to (1) create a Tourism Development Plan for Marinduque that will be incorporated with the Department of Tourism's (DOT) National Tourism Development plan. (2) identify Tourism Development Areas in the province in cooperation with the DOT and Tourism Infrastructure and Enterprise Zone Authority (TIEZA) and other concerned government agencies. (3) create the Marinduque Tourism Council. (4) construct and improve roads and other infrastructures that is deemed necessary by the Department of Public Works and Highways in coordination with DOT.

With the enactment of this bill, it is hoped that Marinduque will be given a fighting chance to meet the challenge of ASEAN 2015.

In view of the foregoing, the enactment of this bill into law is earnestly sought.


REGINA ONGSIAKO REYES

¹ NSO - MIMAROPA Regional Physical Framework Plan, 2004-2030

² PEP-CBMS Network Office (2011). The many faces of Poverty: Vol 2. Community Based Monitoring System, pp. 95-138

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AN ACT
DECLARING THE PROVINCE OF MARINDUQUE AS A TOURISM
DEVELOPMENT AREA, CREATING THE MARINDUQUE TOURISM COUNCIL,
AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title.* – This act shall be known as “An Act Declaring the Province of Marinduque as a Tourism Development Area (TDA)”.

SECTION 2. *Declaration of Policy.* – It is hereby declared the policy of the State to promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable and equitable for local communities.

SECTION 3. *Scope and Coverage.* – The Tourism Development Areas in the Province of Marinduque hereby include, but not limited to, its municipalities endowed with natural beauty, small islands, waterfalls, beaches, sea and mountain resources, historical and natural landmarks, indigenous communities and other areas of interest to the tourism industry.

As such, it shall be accorded priority development by the Department of Tourism (DOT) and shall be subject to the rules and regulations governing tourism zones.

SECTION 4. *Tourism Development Plan of Marinduque.* – The Tourism Development Plan of the Province of Marinduque shall be incorporated in the DOT’s overall National Tourism Development Plan (NTDP) pursuant to Republic Act No. 9593, otherwise known as the “National Tourism Act of 2009” and be jointly implemented with the local government and

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the Provincial Tourism Council of Marinduque taking into consideration Republic Act No. 7586, otherwise known as the "National Integrated Protected Areas System Act of 1992" and its implementing rules and regulations.

The DOT, in coordination with the Tourism Infrastructure and Enterprise Zone Authority (TIEZA), Department of Environment and Natural Resources (DENR) and other concerned agencies of the government, shall delineate well defined geographic areas within the TDA and coordinate the integrated development of these areas for the optimum use of natural assets and attractions, as well as existing facilities.

The Department of Public Works and Highways (DPWH), in coordination with the DOT and the Provincial Tourism Council, shall set forth in place the necessary construction and/or improvement of roads and other infrastructure upon the promulgation of this Act and incorporate it in its infrastructure program.

SECTION 5. *Creation of Marinduque Tourism Council.* The Provincial Governor shall create a Provincial Tourism Council which may be composed of government and private sector representatives. The Council shall have the following responsibilities:

- a) Formulate programs and recommendations to develop local tourism facilities and attractions tapping local resources and funds;
- b) Assist in the regulation and supervision of tourism-oriented establishments thereby ensuring wholesome and clean tourism activities;
- c) Assist in monitoring the implementation of the Local Government Code on the matter of licensing of tourism establishments in the locality to ascertain safe and enjoyable stay of travelers;
- d) Strictly enforce sanitary standards in public restrooms frequented by public utility vehicles and tourist transport services, i.e. gasoline stations, restaurants along main highways and bus stops; and
- e) Any other duties in accordance with the Department of Interior and Local Government's (DILG) Guidelines.

SECTION 6. *Marinduque Tourism Development Trust Fund.* There is hereby established a trust fund under this Act to be known as the Marinduque Tourism Development Trust Fund for purposes of financing projects which shall enhance tourism in the Province of Marinduque. The trust fund shall be administered by a trust fund administrator under the Provincial Tourism of Marinduque. Income shall be derived from fees from visitors/tourists, other resources from the province, proceeds from the registration and lease of multiple-use areas, including tourism concessions, fees, proceeds from the registration and lease of multiple-use areas, including tourism concessions, fees, proceeds and contributions from industries and facilities directly benefitting the province.

The Marinduque Tourism Development Fund may be augmented by grants and donations, endowment from various sources, domestic or foreign entities and individuals, for purposes related to their functions: *Provided, further,* That disbursements therefrom shall be in



accordance with existing accounting and auditing rules and regulations: *Provided, further,* That the fund shall not be used to cover personal services expenditures.

SECTION 7. Appropriations. – The Secretary of the DOT, Secretary of the DENR and the Secretary of DPWH shall include in their respective Department's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act and/or charged against the internally generated funds of the DOT.

SECTION 8. Separability Clause. – Any provision of this Act or part hereof that may be declared unconstitutional shall not affect the effectivity of the other provisions.

SECTION 9. Repealing Clause. – All laws, presidential decrees, executive orders, rules and regulations or parts thereof which are inconsistent with any of the provisions of this Act shall be deemed repealed or modified accordingly.

SECTION 10. Effectivity. - This Act shall take effect fifteen (15) days after completion of its publication in the *Official Gazette* or in two (2) newspaper of general circulation.

APPROVED.

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