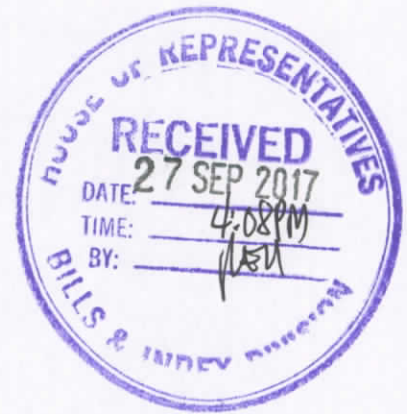




Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6491



Introduced by **HON. CARLITO "Lito" S. MARQUEZ** and **HON. MA. LOURDES R. AGGABAO**

EXPLANATORY NOTE

This refiled bill seeks to reclassify certain portions of forestlands consisting of six (6) parcels of land with a total land area of eleven (11) hectares, located in the Municipality of Malay, Province of Aklan, as alienable and disposable land.

This proposed measure was approved and passed by the House of Representatives on Third and Final Reading on August 10, 2015 during the 16th Congress and likewise approved by the Senate Committee on Natural Resources but was overtaken by events due to the May 2016 national and local elections.

Pursuant to Proclamation No. 1064, Boracay Island situated in the aforementioned municipality has been classified into four hundred (400) hectares of reserved forest land (*protection purposes*) and six hundred twenty-eight and 96/100 (628.96) hectares of agricultural land (*alienable and disposable*). The said Proclamation likewise provided for a *fifteen-meter buffer zone* on each side of the centerline of roads and trails, reserved for right-of-way and which shall form part of the area reserved for forest land protection purposes.

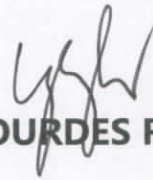
The parcels of land being applied for reclassification, based on actual ground survey and delineation as mandated by Proclamation 1064, have

been openly and continuously inhabited and/or occupied for a long period of time prior to the issuance of said Proclamation and has been identified, to be more suitable for commercial and residential purposes owing to the fast development pace of the Municipality of Malay in the Province of Aklan. Although the area now serves as tourist destinations, there is a need to address the settlement problem of inhabitants since the area has become densely populated. Thus, the reclassification of these lands from protected area to alienable and disposable land is hereby enjoined.

Immediate passage of this proposed measure is earnestly sought.



HON. CARLITO S. MARQUEZ



HON. MA. LOURDES R. AGGABAO



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HOUSE BILL NO. 6491

Introduced by **HON. CARLITO “Lito” S. MARQUEZ** and **HON. MA. LOURDES R. AGGABAO**

**AN ACT DECLARING AS AGRICULTURAL LAND PORTIONS OF
FORESTLAND LOCATED IN THE MUNICIPALITY OF MALAY, PROVINCE
OF AKLAN, AMENDING FOR THE PURPOSE PROCLAMATION NO. 1064**

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

Section 1. The parcels of land of the public domain located in Barangay Manoc-
Manoc in the Municipality of Malay, Province of Aklan are hereby declared as
agricultural land for residential, commercial and other purposes and as forestland for
protection purposes. Said parcels of land are more particularly described as follows:

BLOCK A

(Agricultural Land – A&D)

Beginning at a point marked “1” being S 30°39' E, 3,221.05 m. from AKN – 36 =
BLLM No. 13 CAD 704-D, Malay Cadastre (PRS '92 Control Point) (11-58-9.30079/121-
55-7.86541), Barangay Balabag, Malay to corner 1, Barangay Balabag (Boracay Island),
Malay, Province of Aklan.

thence	1 - 2	S 02°01' W	111.36 meters
thence	2 - 3	S 02°08' W	154.69 meters
thence	3 - 4	S 25°33' E	24.84 meters
thence	4 - 5	S 52°20' W	49.29 meters
thence	5 - 6	S 33°04' W	7.11 meters
thence	6 - 7	N 79°10' W	11.83 meters
thence	7 - 8	N 86°30' W	92.76 meters
thence	8 - 9	S 61°13' W	36.60 meters

thence	9 - 10	N 15°44' E	34.08 meters
thence	10 - 11	N 28°29' W	78.18 meters
thence	11 - 12	N 06°03' W	49.70 meters
thence	12 - 13	N 19°39' W	81.52 meters
thence	13 - 14	N 21°45' W	54.19 meters
thence	14 - 15	N 06°23' W	54.98 meters
thence	15 - 16	N 14°44' W	107.00 meters
thence	16 - 17	N 15°00' W	20.42 meters
thence	17 - 18	S 74°25' E	162.96 meters
thence	18 - 19	S 62°10' E	90.81 meters
thence	19 - 1	S 63°27' E	68.39 meters

containing an area of eight and 872/1000 (8.872) hectares, more or less.

BLOCK B

Remaining Portion of Block – J, Forestland

(Protection Purposes)

Beginning at a point marked "1" being S 28°14' E, 3,476.64 m. from AKN – 36 = BLLM No. 13 CAD 704-D, Malay Cadastre (PRS '92 Control Point) (11-58-9.30079/121-55-7.86541), Barangay Balabag, Malay to corner 1, Barangay Balabag (Boracay Island), Malay, Province of Aklan.

thence	1 - 2	S 25°33' E	32.19 meters
thence	2 - 3	S 50°38' W	76.41 meters
thence	3 - 4	N 89°24' W	24.83 meters
thence	4 - 5	N 14°12' W	17.15 meters
thence	5 - 6	N 88°06' W	65.67 meters
thence	6 - 7	S 61°13' W	39.87 meters
thence	7 - 8	S 45°02' W	37.32 meters
thence	8 - 9	S 13°51' W	17.63 meters
thence	9 - 10	N 81°38' W	4.65 meters
thence	10 - 11	N 20°48' W	12.65 meters
thence	11 - 12	N 04°12' E	8.34 meters
thence	12 - 13	N 53°59' W	40.86 meters
thence	13 - 14	N 02°44' W	12.64 meters

thence	14 - 15	N 46°16' E	9.72 meters
thence	15 - 16	S 89°26' E	24.78 meters
thence	16 - 17	N 15°44' E	40.66 meters
thence	17 - 18	N 28°29' W	71.95 meters
thence	18 - 19	N 06°03' W	52.08 meters
thence	19 - 20	N 19°41' W	78.59 meters
thence	20 - 21	N 21°45' W	56.48 meters
thence	21 - 22	N 06°23' W	56.84 meters
thence	22 - 23	N 14°44' W	104.81 meters
thence	23 - 24	N 29°16' E	33.68 meters
thence	24 - 25	S 74°25' E	7.54 meters
thence	25 - 26	S 15°00' E	20.42 meters
thence	26 - 27	S 14°44' E	107.00 meters
thence	27 - 28	S 06°23' E	54.98 meters
thence	28 - 29	S 21°45' E	54.19 meters
thence	29 - 30	S 19°39' E	81.52 meters
thence	30 - 31	S 06°03' E	49.70 meters
thence	31 - 32	S 28°29' E	78.18 meters
thence	32 - 33	S 15°44' W	34.08 meters
thence	33 - 34	N 61°13' E	39.60 meters
thence	34 - 35	S 86°30' E	92.76 meters
thence	35 - 36	S 79°10' E	11.83 meters
thence	36 - 37	N 33°04' E	7.11 meters
thence	37 - 1	N 52°20' E	49.29 meters

containing an area of two and 362/1000 (2.362) hectares, more or less.

Section 2. Upon effectivity of this Act, the Department of Environment and Natural Resources (*DENR*) shall alienate the parcels of land identified in Block A Section 1 hereof through the issuance of a free patent or original certificate of title: Provided, That the individual applicant can establish proof of ownership, acquisition or any other means

through their predecessors-in-interest who for at least thirty (30) years prior to the effectivity of this Act has continuously occupied, acquired and/or cultivated either by one's self or through one's predecessors-in-interest or who shall have paid the real estate tax thereon. Such qualified person shall be entitled under this Act to have a free patent or original certificate of title, as may be applicable, issued to him for such tract of land not to exceed twelve (12) hectares per applicant.

Section 3. The Department of Environment and Natural Resources (*DENR*) shall issue the necessary rules and regulations for the effective implementation of this Act.

Section 4. Separability Clause. - If any portion of this Act is declared invalid or unconstitutional, the remaining provisions shall remain in full force and effect.

Section 5. Repealing Clause. - Proclamation No. 1064, S. 2006, entitled: *"Classifying Boracay Island Situated in the Municipality of Malay, Province of Aklan Into Forestland (Protection Purposes) and Into Agricultural Land (Alienable and Disposable) Pursuant to Presidential Decree No. 705 (Revised Forestry Reform Code of the Philippines)"*, is hereby amended.

All other laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

Section 6. Effectivity. - This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,