

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8411



Introduced by **MAGDALO Party-List Representative**
HON. GARY C. ALEJANO

EXPLANATORY NOTE

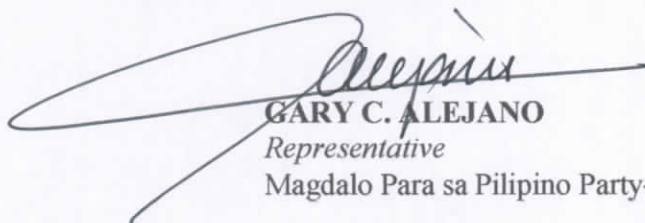
Our country is endowed with pristine coastline stretching some 36,000 kilometers covering around 800 municipalities. For most tourists, these coastlines, seen in postcards and travel blogs, are the prime reason why they visit the country. Our vast coastal resources present a huge opportunity to develop our coastlines and realize its huge potential for tourism.

According to the PSA, the tourism industries contributed 12.2 percent to the economy in 2017. It is measured by the share of Tourism Direct Gross Value Added (TDGVA) to the Gross Domestic Product (GDP). The TDGVA amounted to PhP 1,929.3 billion at current prices in 2017. This is higher by 24.2 percent than the previous year's record of PhP 1,553.7 billion.

The above-mentioned number portrays the tremendous benefits in terms of economic stability tourism brings especially for small islands and provinces. As an archipelago, many of the country's regions rely on tourism for livelihood. Tourism brings in employment and income to residents of these regions.

While we celebrate the positive effects tourism brings to our economy, we should also be wary of its negative impact to our environment. Hence, in order to constantly reap the benefits brought by tourism we should preserve and enhance the current environment and promote sustainable tourism.

This proposed measure establishes the Philippine Council for Sustainable Coastal Tourism which is a policy-making, and advisory body of the government which shall promote sustainable coastal tourism. The measure likewise mandates Local Government Units (LGUs) to formulate and implement their respective local sustainable coastal tourism plans.


GARY C. ALEJANO
Representative
Magdalo Para sa Pilipino Party-List

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AN ACT
INSTITUTIONALIZING SUSTAINABLE COASTAL TOURISM, PROVIDING
MECHANISMS FOR ITS INSTITUTIONALIZATION, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES

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

ARTICLE I
GENERAL PROVISIONS

SEC. 1. Short Title.- This Act shall be known as the “*Sustainable Coastal Tourism Act of 2018*”.

SEC.2. Declaration of Policy.- The State recognizes the indispensable role of coastal tourism in promoting rapid and inclusive growth among coastal provinces and affected local government units. The State further recognizes the pressure which coastal tourism bears upon marine and coastal environments. To this end, the State hereby declares it a policy to promote sustainable coastal tourism to reconcile the social and economic growth from coastal tourism with the people’s right to a balance and healthful ecology in accord with the rhythm and harmony of nature.

SEC.3. Definition of Terms.-

- a) “*Coastal Local Government Unit*” or “*Coastal LGU*” – refers to LGUs bordering a coastal regardless of income classification;
- b) “*Coastal Recreational Area*” – refers to coastal areas, including shores, sand bars, bays, lagoon mouths, and coastal estuaries within the tidal zone, which are used by the public for recreational activities such as swimming, bathing, surfing, skimboarding and any other water sports;
- c) “*Council*”- refers to the National Council for Sustainable Coastal Tourism establish under this Act;
- d) “*Local Sustainable Coastal Tourism Plans*” or “*Plan*” – refers to the plans to be formulated by coastal provinces under this Act in consultation with affected cities, municipalities and communities;
- e) “*National Coastal Recreational Area Quality Framework*” or “*Framework*”- refers to the Framework to be establish by the Council under this Act;

- 1 f) "*Sustainable Coastal Tourism*"- refer to an approach to coastal tourism which
2 reconciles tourism with environmental sustainability;'
3

4 **ARTICLE II**
5 **THE PHILIPPINE COUNCIL FOR SUSTAINABLE TOURISM**
6

7 **SEC.4. *Establishment of the Council.***- The National Council for Sustainable Coastal
8 Tourism, herein referred to as "the Council", is hereby established. The Council shall be the
9 policy-making, standard-setting, planning, coordinating, enforcing, monitoring, and advisory
10 body of the government on sustainable coastal tourism. The Council shall be an independent
11 agency attached to the Department of Environment and Natural Resources, with a separate
12 budget under the General Appropriations Act.
13

14 **SEC.5. *Powers and Functions of the Council.***- The Council shall be empowered to:
15

- 16 a) Formulate the National Coastal Recreational Area Quality Framework, which
17 shall include but not limited to the following measurable requirements:
18
19 1. Ecological Waste Management
20 2. Water quality and sanitation;
21 3. Accessibility;
22 4. Preventing of marine flora and fauna;
23 5. Presence of emergency health services; *and*
24 6. Other measurable and reasonable quality standards pursuant to the declared
25 state policy of this Act or other related laws and rules and regulations.
26
27 b) Supervise the formulation and implementation of Local Sustainable Coastal
28 Tourism Plans;
29
30 c) Utilize the Sustainable Coastal Tourism Challenge Fund created under this Act as
31 an incentive for LGUs to implement the provision of this Act;
32
33 d) Recognize meritorious and/or extraordinary implementation of this Act by LGUs
34 through awards;
35
36 e) Review, harmonize, and identify gaps in existing rules and regulations on
37 sustainable coastal tourism;
38
39 f) Conduct an inventory and assess the quality of all existing and potential coastal
40 recreational areas in the country;
41
42 g) Compile, use, and provide access to data on coastal recreational areas, which shall
43 include but not limited to location, magnitude, tourist arrivals, revenue from
44 sustainable coastal tourism, coastal degradation, water quality and sanitation,
45 accessibility, and habitation or marine wildlife;
46

- h) Research and develop community-based and sustainable coastal tourism models and promote their adoption among local government units;
- i) Receive grants, contributions, donations, endowments, bequests, or gifts in cash, or in kind from local and foreign sources in support of the development and implementation of climate change programs and plans; *Provided*, that such donations shall not be used to fund personal services expenditures and other operating expenses of the Council;
- j) Provide capacity building and technical assistance to coastal municipalities, cities and provinces in evaluating, formulating, and reviewing local sustainable coastal tourism plans; *and*
- k) Mobilize non-government, private and international participation in local sustainable coastal tourism plans and projects;
- l) Provide awards and other forms or recognition to coastal provinces and affected LGUs which provide good examples of implementing sustainable coastal tourism;

SEC.6. Composition.- The Council shall be composed of:

- a) The Secretary of the DENR, or his duly authorized representatives, as chairperson;
- b) The Secretary of the Department of Tourism (DOT), or his duly authorized representative, as Co-Chairperson;
- c) The Secretary of the Department of Transportation (DOTr), or his duly authorized representative;
- d) The Secretary of the Department of Public Works and Highways (DPWH), or his duly authorized representative;
- e) The Secretary of the Department of Health (DOH), or his duly authorized representative;
- f) The Secretary of the Department of Interior and Local Government, or his duly authorized representative;
- g) Two (2) representatives from the academe who shall be experts in sustainable coastal management and/or related disciplines;
- h) Three (3) representatives from reputable non-government organizations working on sustainable coastal tourism.

The representatives from the academe and non-government organizations shall be appointed by the Council.

SEC.7. National Sustainable Coastal Recreational Area Quality Framework.- The Council shall formulate a National Coastal Recreational Area Quality Framework, herein referred to as "The Framework", Within ninety (90) days from the effectivity of this Act. The Framework shall be used to:

- a) Assess the quality of all coastal recreational areas in the country;

- b) Guide national government agencies in formulating, implementing and monitoring policies, programs and projects in relation to the goals of this Act; and
- c) Guide coastal provinces, coastal cities and coastal municipalities in formulating their respective local sustainable coastal tourism plans.

SEC.8. Components of the Framework.- The Framework shall include, but not be limited to, the following measurable components:

- a) Ecological Waste Management
- b) Water quality and sanitation;
- c) Presence of floatable materials, such as plastics, aluminum cans, and bottles;
- d) Accessibility;
- e) Preventing and reversing coastal degradation;
- f) Coastal cleanliness and/or visible pollution;
- g) Presence of emergency health services;
- h) Protection of marine flora and fauna; *and*
- i) Other measurable and reasonable quality standards pursuant to the declared state policy of this Act or other related laws or rules and regulation.

SEC.9. National Inventory and Assessment of Coastal Recreational Areas.- Within two (2) years from the effectivity of this Act, and every three (3) years thereafter, the Council shall create a database of existing coastal recreational areas in the country and assess them using the Framework.

SEC.10. Sustainable Coastal Tourism Challenge Trust Fund. - The Sustainable Coastal Tourism Challenge Fund, hereafter referred to as the "the Fund", is hereby established. The Council shall use the Fund as an incentive for LGUs to comply with and implement the provisions of this Act.

The Fund shall be sourced from the equivalent of five percent (5%) of any annual increase of the revenues collected from the excise tax on manufactured oils and other fuels. It shall be indicated as a separate line item under the budget of the Council.

ARTICLE III ROLE OF NATIONAL GOVERNMENT UNITS

SEC.11. Role of National Government Agencies.- In addition to their duties as members of the Council, the concerned agencies shall also perform the following functions to ensure the successful implementation of this Act:

- a) The DOT shall provide technical and financial assistance in marketing, promoting and developing sustainable coastal tourism projects. The DOT shall also coordinate with the Philippine Information Agency (PIA) in formulating and disseminating information against the collection of flora and fauna in coastal recreational areas;
- b) The DPWH shall construct access road and other essential infrastructure that are sustainably master planned for coastal recreational areas, in coordination with the DOT, the DILG and the concerned coastal provinces and affected local government units: *Provided*, that all infrastructure constructed pursuant to this Act shall be planned and maintained in an environmentally sustainable manner;

- 1
- 2 c) The DOTr shall assist in the provision of transportation services for coastal
- 3 recreational areas, in coordination with the DOT, the DILG, and the concerned
- 4 coastal provinces and affected local government units;
- 5
- 6 d) The DENR and its attached agencies shall provide technical and financial
- 7 assistance in monitoring and the status of flora and fauna in coastal recreational
- 8 areas and maintain their assistance;
- 9
- 10 e) The DOH and the DENR- Environmental Management Bureau shall formulate
- 11 and enforce water quality and sanitation standards for coastal recreational areas.
- 12 The DOH shall also provide technical assistance to coastal provinces and affected
- 13 local government units in monitoring such standards in coastal recreational areas;
- 14 and
- 15
- 16 f) The DILG, in coordination with the Council, shall take the lead in raising
- 17 awareness of sustainable coastal tourism among coastal provinces and affected
- 18 local government units.
- 19

20 **ARTICLE IV**

21 **ROLES OF LOCAL GOVERNMENT UNITS**

22

23 **SEC.12. Local Sustainable Coastal Tourism Plans.-** Coastal LGUs shall formulate

24 and implement their respective Local Sustainable Coastal Tourism Plans, herein referred to as

25 "the Plan", to ensure the quality of coastal recreational areas within their jurisdiction. The

26 plans shall include, but not limited to:

27

- 28 a) Promotion and marketing of sustainable coastal recreational areas in their
- 29 jurisdiction;
- 30 b) Provision of proper and well-equipped waste management facilities which can
- 31 accommodate 50% more than the total number of waste produced by the coastal
- 32 areas in a day.
- 33 c) Provision of facilities for coastal tourism, including the acquisition of equipment,
- 34 regulation and supervision of business concessions, and security services for such
- 35 facilities;
- 36 d) Clean-ups of coastal recreational areas;
- 37 e) Banning tourist and local from collecting samples of flora and fauna found in
- 38 coastal recreational areas;
- 39 f) Collection of tourism access fees from coastal recreational areas: *Provided*, that
- 40 all amounts collected pursuant to this provision shall accrue to the city or
- 41 municipal government from which it was collected and which shall be accounted
- 42 for in accordance with existing government rules and regulations: *Provided*
- 43 *further*, that the all amounts collected shall be used by the LGU to implement the
- 44 provision of this Act.
- 45 g) Inspection and regulation of water quality and sanitation in coastal recreational
- 46 areas;
- 47 h) Construction and maintenance of sustainably planned and maintained access roads
- 48 near coastal recreational areas;

- 1 i) Enforcement of easement zones as provided in Presidential Decree No. 1067, s.
2 1976 otherwise known as the Water Code of the Philippines;
3 j) Provision of emergency health services;
4 k) Dismantling of structures which prevent access to coastal recreational areas; *and*
5 l) Moratorium on mining of sand and other mineral in or near costal recreational
6 areas;

7
8 Local sustainable coastal tourism plans shall integrate the measurable indicators used
9 in the National Coastal Recreational Area Quality Framework. Coastal LGUs shall consult
10 affected communities in formulating their respective plans.

11
12 **ARTICLE V**
13 **FINAL AND TRANSITORY PROVISIONS**
14

15 **SEC.13. Appropriations.-** The amounts necessary to implement this Act shall be
16 taken from the current budget of the Department of Environment and National Resources.
17 Thereafter, such amounts necessary to effectively carry out the provisions of this Act shall be
18 included in the annual General Appropriations Act.

19
20 **SEC.14. Penalty for Non-Compliant LGUs.-** Local government officials who fail to
21 formulate and implement their Local Sustainable Coastal Tourism Plan shall be charged with
22 the penalty of dereliction of duty as defined under Chapter IV, Section 6 of Republic Act No.
23 7160 under Republic Acr No. 7160, otherwise known as the "*Local Government Code of*
24 *1991*".

25
26 **SEC.15. Implementing Rules and Regulations. -** The DENR, DOT, DOTr, DPWH,
27 DOH, DILG shall promulgate the implementing rules and regulations of this Act within
28 ninety (90) days from its effectivity.

29
30 **SEC.16. Separability Clause.-** If for any reason any section or provision of this Act is
31 declare as unconstitutional or invalid, the other sections or provisions hereof shall not be
32 affected thereby.

33
34 **SEC. 17. Repealing Clause. -** All laws, orders, decrees, rules and regulations, and
35 other issuances, or parts thereof, inconsistent herewith, are hereby repealed or modified
36 accordingly.

37
38 **SEC. 18. Effectivity Clause. -** This Act shall take effect after fifteen (15) days from
39 its publication in the Official Gazette or in two (2) newspaper of general circulation.

Approved,