

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City

SEVENTEENTH CONGRESS
Third Regular Session

House Bill No. 8479



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

EXPLANATORY NOTE

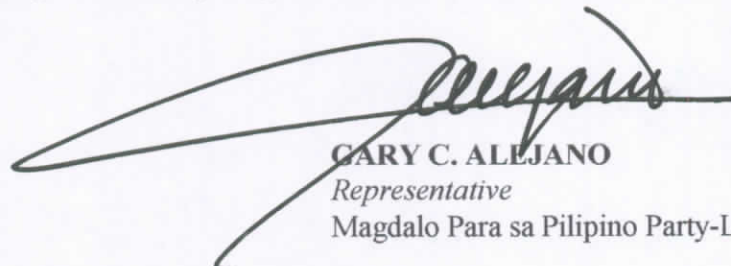
The Malay Municipal Tourism Office reported an increase in tourist arrivals in Boracay Island in 2017 registering 2,001,974 tourists, 16% higher than the tourist arrivals in 2016 with 1,725,483. Likewise, the island of Boracay generated a total of P56,147,744,220.60 in tourism receipts in 2017. However, while tourism presents tremendous benefits in terms of economic stability to Boracay, tourism activities in the island resulted to extensive environmental damage from over two decades of unbridled tourism.

Aside from the damage caused to the environment due to excessive tourism activity, Boracay and other small islands and provinces are particularly vulnerable to climate change and the consequences it already has on global temperatures, sea-level rises and extreme weather events. Hence, there is a need for a comprehensive planning to reduce the vulnerability of small islands to natural hazards, preserve socio-cultural and ecological integrity, and determine the scale of development in relation to limitations in resources such as water and coastal resources.

This legislative measure seeks to embody the principles of sustainable development, economic growth, environmental protection, community development and involvement, and institutional strengthening into the policy framework of our environmental laws in the country. This proposed measure seeks to regulate the development and management of small islands in the Philippines and provide for a comprehensive program on the use, development, management, and conservation of small islands in the country whose area does not exceed 50,000 hectares.

The approval of this bill will ensure access of benefits from the management and development of our small islands.

In view of the foregoing, immediate passage of this measure is earnestly sought.


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

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AN ACT
REGULATING THE DEVELOPMENT AND MANAGEMENT OF SMALL ISLANDS
IN THE PHILIPPINES AND FOR OTHER PURPOSES

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

1 **SECTION 1. Short Title.** – This Act shall be known as the “Small Islands
2 Development and Management Act of 2018”.

3
4 **SEC.2. Declaration of Policy.** – It is hereby declared the policy of the State to ensure
5 the sustainable use, development, management, and conservation of the country’s small
6 island, including the protection and enhancement of the quality of the small islands for the
7 present and future generations, under the principles of viable, sound and broad-based
8 economic development, ecological soundness, social equity, and sustainability.

9
10 **SEC.3. Coverage.** – In accordance with the aforesaid policy, this Act shall regulate
11 the use, development, management, and conservation of small islands as well as the activities
12 which impact the said resource.

13 This Act shall cover the islands of the Republic of the Philippines that fall under the
14 definition of a small island as described in Section 5€ hereof.

15
16 **SEC.4. Framework.** – This Act shall embody the principles of sustainable
17 development, tourism development, economic growth, environmental protection, community
18 development and involvement, and institutional strengthening.

19 Its management framework shall include:

- 20 a) Inventory and assessment of prevailing conditions and resources of small islands;
21 b) Evaluation of carrying capacity;
22 c) Identification of conflicts in resource use;
23 d) Integration of horizontal and vertical plans;
24 e) Adaptation to climate change;
25 f) Disaster Preparedness;
26 g) Review and monitoring of development initiatives/ resource development and
27 utilization of small islands; and
28 h) Capacity-building and active stakeholder participation.

1 **SEC. 5. Definition of Terms.** – Under this Act, the following are hereby defined:

- 2 a) “Alienable and Disposable Lands (A and D)” refers to lands of the public domain
3 which have been classified and declared as such and available for disposition
4 under Commonwealth Act No. 141, as amended, otherwise known as the “Public
5 Land Act”.
- 6 b) “Carrying Capacity” refers to the number of individuals who can be supported in a
7 given area within natural resource limits and without degrading the natural, social,
8 cultural and economic environment for present and future generations.
- 9 c) “Development Activities” refers to activities that involve all forms of
10 improvement, construction or enhancement of land and other resources within the
11 islands or island groups that would likely impact the environment.
- 12 d) “Ecological Destination” refers to a site that shows a unique feature of a landscape
13 that benefits people because of its aesthetic, recreational and scientific value.
- 14 e) “Small Islands” refers to pieces of land completely surrounded by water in two (2)
15 dimensions, above high tide and isolated from other land masses which have an
16 area of not more than fifty thousand (50,000) hectares.
- 17 f) “Sustainable Development” refers to the development objective of meeting the
18 needs and aspirations of the present generation of Filipinos without compromising
19 the capabilities and opportunities of future generations to fulfil theirs, consistent
20 with the principles of social equity, efficiency, and environmental integrity.
- 21 g) “Tourism Development Areas” refers to specific sites for tourism development
22 located in areas identified as priorities in the national and regional tourism master
23 plans as well as those designated through legislative and executive issuances as
24 tourist spots and tourist zones which can be developed into tourism estates or
25 integrated resort, leisure and recreation complexes, and other tourism-related
26 facilities.

27
28 **SEC. 6. Creation of the Small Islands Development and Management Board**
29 **(SIDMB).** – Upon the effectivity of this Act, the Small Islands Development and
30 Management Board shall be created in provinces that have small islands as part of their
31 territorial jurisdiction to exercise their powers and functions as stated in Section 8 hereof.

32
33 **SEC. 7. Composition of the Small Islands Development and Management Board.** –
34 The Board shall be headed by the governor of the province who shall serve as the chairman
35 of the Board, with the following representatives who shall serve as members:

- 36 a) The city or municipal mayor where such islands are within the said official’s
37 territorial jurisdiction;
- 38 b) A representative from the Department of Tourism (DOT);
- 39 c) A representative from the National Economic and Development Authority
40 (NEDA)
- 41 d) A representative from the Department of Environmental and Natural Resources
42 (DENR); and
- 43 e) Two (2) representatives from the local sectors which are affected by regulations
44 and development initiatives in the island.

45
46 **SEC. 8. Powers and Functions of the Board.** – The SIDMB shall be guided by the
47 framework stated in Section 4 hereof and shall have the following powers and functions:

- 48 a) Formulate and update the rules and regulations on the utilization and development
49 of small islands;
- 50 b) Integrate and harmonize all laws and policies relevant to small island issue;

- 1 c) Regulate the approval of development activities in order to maintain the carrying
2 capacity of small islands as mentioned in Section 5(b) hereof;
3 d) Ensure the protection of small islands covered by Republic Act No. 7586,
4 otherwise known as the National Integrated Protected Areas System (NIPAS) Act
5 of 1992 and other areas outside NIPAS which include protection of forests,
6 rehabilitated and/ or reforested degraded mining areas, critical ecosystems,
7 environmentally-constrained areas, critical watershed areas, and all agricultural
8 lands that are ecologically fragile;
9 e) Ensure that the regulations will be consistent with other environmental laws; and
10 f) Approve and oversee the implementation of site specific work plans, action plans
11 and programs consistent with the framework.
12

13 **SEC. 9. Quorum.** – A majority of all the members of the Board shall constitute a
14 quorum. The Board shall not transact business without a quorum.
15

16 **SEC. 10. Separability Clause.** – The provisions of this Act are hereby declared
17 separable and, in the event that one (1) or more of such provisions are held unconstitutional,
18 the validity of the other provisions shall not be affected.
19

20 **SEC. 11. Repealing Clause.** – All laws, decrees, executive issuances, rules and
21 regulations inconsistent with this Act are hereby repealed or modified accordingly.
22

23 **SEC. 12. Effectivity Clause.** – This Act shall take effect fifteen (15) days after
24 publication in at least two (2) newspapers of general circulation.

Approved,