

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

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. 5731



Introduced by JANICE Z. SALIMBANGON

EXPLANATORY NOTE

The entire island of Malapascua was declared by the Department of Environment and Natural Resources as timberland area on June 20, 1987. The island of Malapascua located in the municipality of Daanbantayan has a total area of One Hundred Thirty-Eight hectares (138 has.), more or less. However, time immemorial the island of Malapascua has been inhabited and the island was and still is very much suitable for living and in reality, it is not a forest land. The island is composed of one Barangay namely: Barangay Logon. The main industry in the island is tourism with diving as its main pull for the island with Monad Shoal, a unique dive site due to the presence of thresher sharks.

It has been the main effort of this representation to develop the island as tourism destination. To do so, the government must aggressively take the necessary steps to attract private individuals and entities willing to pour investments to provide the services needed thus the need to rationalize the management of certain lands. Moreover, the government must likewise give security to the people of the ownership of their parcel of lands which have been theirs long before the declaration of the island as timberland.

The rationalization of the management thereof of certain lands of Malapascua Island from timberland to agricultural, commercial, residential, industrial, and for other similar productive purposes must be the government's initiative to answer the needs of the time. The rationalization of the management of these lands will pave the way to the establishment of different infrastructures especially the creation of a circumferential road of the entire island and services that would cater the needs of the island.

Considering the magnificence and the rich local heritage of the island, the government's affirmative stance in reclassifying these areas will definitely contribute much to the success of the tourism industry not only in the island of Malapascua but to the entire country as well. Economic development will definitely soar which will pave to the creation of significant number of jobs but likewise protect the island.

The areas outside the agricultural lands shall be declared protected areas under the E-NIPAS Act and national parks as provided for in the Philippine Constitution as the case may be.

In view of the foregoing, the immediate enactment of this bill is earnestly requested.



JANICE Z. SALIMBANGON
Representative
4th District – Cebu Province

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

EIGHTEENTH CONGRESS

First Regular Session

HOUSE BILL NO. **5731**

Introduced by JANICE Z. SALIMBANGON

AN ACT RATIONALIZING THE MANAGEMENT OF THE NATURAL RESOURCES, LOCATED IN MALAPASCUA ISLAND BARANGAY LOGON IN THE MUNICIPALITY OF DAANBANTAYAN PROVINCE OF CEBU AMENDING FOR THE PURPOSE PRESIDENTIAL PROCLAMATION NO. 2151, "DECLARING CERTAIN ISLAND AND/OR PARTS OF THE COUNTRY AS WILDERNESS AREAS"

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

SECTION 1. *Statement of Policy.* – It is the policy of the state to protect and advance the right of the people to a balanced and healthful ecology in accord with the rhythm and harmony of nature. For this purpose, the State shall promote the conservation of biodiversity and other ecosystems within the island of Malapascua in the province of Cebu and address the present and future needs of local and national development through a co-management mechanism between the national government and the empowered local government units.

SEC. 2. *Declaration of Agricultural Lands.* – A parcel of land of the public domain located within the territorial jurisdiction of Barangay Logon, Municipality of Daanbantayan in the Province of Cebu is hereby declared as agricultural, commercial, and industrial or other productive purposes. The said parcel of land, with an aggregate area of about one hundred thirty-eight hectares (138 has.), is more particularly described as follows:

TECHNICAL DESCRIPTIONS

Case Boundary of Barangay Logon, Daanbantayan, Province of Cebu

Boundaries:

<u>Line</u>	<u>Direction</u>	<u>Adjoining Lots/Features</u>
1-2-3-4-5-6-7-8	SW, SOUTH, SE, SW &	Lot 10827, CAD. 635-D, CASE 19
8-9	SW	Lot 10825, CAD. 635-D, CASE 19
9-10	WEST	Lot 10829, CAD. 635-D, CASE 19
10-11-12-13	NW & SW	Lot 10828, CAD. 635-D, CASE 19
13-14	NW	Lot 9535, CAD. 635-D, CASE 19
14-15	SW	Lot 9536, CAD. 635-D, CASE 19
15-16	SW	Lot 10822, CAD. 635-D, CASE 19
16-17-18-19-20-21-22	SW, NW, SW, NW, & NE	Lot 10823, CAD. 635-D, CASE 19
22-23-24	NE	Lot 10822, CAD. 635-D, CASE 19
24-25	NW	Lot 9536, CAD. 635-D, CASE 19
25-26	NW	Lot 9538, CAD. 635-D, CASE 19
26-27-28-29-30	SW, WEST, NW, & SW	Lot 9549, CAD. 635-D, CASE 19
30-31	SW	Lot 0551, CAD. 635-D, CASE 19
31-32-33-34-35-35-36		
37-38-39-40-41	SW, NW, NE, SE, NE	Lot 10836, CAD. 635-D, CASE 19
41-42	NW	Lot 9551, CAD. 635-D, CASE 19
42-43	NW	Lot 9550, CAD. 635-D, CASE 19
43-44-45-46-47	SW, NW, & WEST	Lot 9559, CAD. 635-D, CASE 19
47-48	SW	Lot 9561, CAD. 635-D, CASE 19
48-49	SW	Lot 9567, CAD. 635-D, CASE 19
49-50-51-52-53	NW, SW, NW, & SW	Lot 9580, CAD. 635-D, CASE 19
53-54-55-56	SW, SE, & SW	Lot 9581, CAD. 635-D, CASE 19
56-57-58-59-60-61-62	SW, NW, & WEST	Lot 9582, CAD. 635-D, CASE 19

62-63	SW	Lot 10811, CAD. 635-D, CASE 19
63-64-65	SW	Lot 10810, CAD. 635-D, CASE 19
65-66	SW	Lot 10813, CAD. 635-D, CASE 19
66-67-68-69	SW & SE	Lot 10814, CAD. 635-D, CASE 19
69-70-71	SE	Lot 10815, CAD. 635-D, CASE 19
71-72-73-74-75-76-		
77-78-79-80-81-82-		
83-84-85-86-87-88-		
89-90	SW, NW, SW, SE, SW	Lot 10814, CAD. 635-D, CASE 19
90-91	NE	Lot 10813, CAD. 635-D, CASE 19
91-92	NE	Lot 10810, CAD. 635-D, CASE 19
92-93	NW	Lot 10811, CAD. 635-D, CASE 19
93-94	NORTH	Lot 10807, CAD. 635-D, CASE 19
94-95	NW	Lot 10806, CAD. 635-D, CASE 19
95-96	NORTH	Lot 10819, CAD. 635-D, CASE 19
96-97	NW	Lot 10804, CAD. 635-D, CASE 19
97-98	NW	Lot 10803, CAD. 635-D, CASE 19
98-99-100-101	NW, SW, & NW	Lot 10801, CAD. 635-D, CASE 19
101-102-103-104-105-		
106	SW, WEST, NW, EAST	Lot 10824, CAD. 635-D, CASE 19
106-107-108-109-110-		
111-112-113-110-111-		
112-113-114	NE, SE, NE, & SE	Lot 10801, CAD. 635-D, CASE 19
114-115-116-117-118	SE, NE & SE	Lot 10802, CAD. 635-D, CASE 19
118-119	SE	Lot 9598, CAD. 635-D, CASE 19
119-120	NE	Lot 9596, CAD. 635-D, CASE 19
190-121	NE	Lot 9595, CAD. 635-D, CASE 19
121-122-123-124-125-		
126-127	NE, NW, NE, SOUTH	Lot 9594, CAD. 635-D, CASE 19
127-128-129-130	NE & SE	Lot 9593, CAD. 635-D, CASE 19

130-131-132-133-134	SE, SW, SE, & EAST	Lot 9578, CAD. 635-D, CASE 19
134-135-136-137	NE	Lot 9599, CAD. 635-D, CASE 19
137-138-139	NE & SW	Lot 9600, CAD. 635-D, CASE 19
139-140	SE	Lot 9553, CAD. 635-D, CASE 19
140-141	NE	Lot 9552, CAD. 635-D, CASE 19
141-142	EAST	Lot 9550, CAD. 635-D, CASE 19
142-143	NE	Lot 9557, CAD. 635-D, CASE 19
143-144-145	NE	Lot 9558, CAD. 635-D, CASE 19
145-146	NE	Lot 9546, CAD. 635-D, CASE 19
146-147	NE	Lot 9523, CAD. 635-D, CASE 19
147-148	NE	Lot 9524, CAD. 635-D, CASE 19
148-149	NE	Lot 9522, CAD. 635-D, CASE 19
149-150	NE	Lot 9515, CAD. 635-D, CASE 19
150-151	SE	Lot 9514, CAD. 635-D, CASE 19
151-152-153-154-155	SE	Lot 9513, CAD. 635-D, CASE 19
155-156	SE	Lot 9505, CAD. 635-D, CASE 19
156-157	SW	Lot 9510, CAD. 635-D, CASE 19
157-158-159-160	SE & SW	Lot 9509, CAD. 635-D, CASE 19
160-161	SE	Lot 9504, CAD. 635-D, CASE 19
161-162-163-164-165	EAST, SE & SE	Lot 9502, CAD. 635-D, CASE 19
165-166	SOUTH	Lot 9503, CAD. 635-D, CASE 19
166-167	SE	Lot 9502, CAD. 635-D, CASE 19
167-168-169-170-171-172	SW	Lot 9547, CAD. 635-D, CASE 19
173-174	SW, WEST, NW, & NE	Lot 9547, CAD. 635-D, CASE 19
174-175-176-177-178-179	NW & NE	Lot 9547, CAD. 635-D, CASE 19
179-180-181	NE & NW	Lot 9547, CAD. 635-D, CASE 19
181-182	NW	Lot 9547, CAD. 635-D, CASE 19
182-183	NW	Lot 9547, CAD. 635-D, CASE 19
183-184	WEST	Lot 9547, CAD. 635-D, CASE 19
184-1	NW	Lot 9547, CAD. 635-D, CASE 19

Tie Point: BLLM No. 1, Cad-636-D

Lot Description:

<u>Line</u>	<u>Bearing</u>	<u>Distance</u>
Tie Point-1	N 54° 12' E	15,418.40 m
1-2	N 14° 26' W	30.04 m
2-3	N 88° 09' W	41.23 m
3-4	S 09° 19' W	23.70 m
4-5	S 84° 16' W	37.81 m
5-6	N 25° 19' W	45.79 m
6-7	N 71° 42' E	42.95 m
7-8	N 02° 32' E	28.47 m
8-9	N 03° 48' W	6.78 m
9-10	N 00° 53' W	16.25 m
10-11	N 15° 48' E	17.67 m
11-12	N 60° 14' E	21.85 m
12-13	N 25° 44' W	28.35 m
13-14	N 05° 39' E	45.62 m
14-15	N 49° 13' W	56.22 m
15-16	N 83° 50' W	107.68 m
15-17	N 39° 32' W	29.61 m
17-18	N 06° 59' E	21.98 m
18-19	N 07° 38' W	37.82 m
19-20	N 75° 04' E	44.47 m
20-21	S 14° 57' E	41.46 m
21-22	S 73° 49' E	5.88 m
22-23	S 73° 49' E	46.83 m
23-24	S 28° 35' E	49.74 m
24-25	N 45° 26' E	55.93 m

25-26	N 30° 36' E	88.82 m
26-27	N 15° 34' W	72.41 m
27-28	N 00° 40' E	28.68 m
28-29	N 04° 32' E	15.21 m
29-30	N 24° 31' W	45.59 m
30-31	N 61° 52' W	67.16 m
31-32	N 76° 35' W	72.53 m
32-33	N 04° 42' E	31.13 m
33-34	N 50° 48' E	5.87 m
34-35	S 65° 30' E	27.75 m
35-36	S 26° 16' W	8.59 m
36-37	S 85° 42' W	13.99 m
37-38	S 24° 01' W	9.58 m
38-39	S 80° 44' E	19.25 m
39-40	N 53° 53' E	37.07 m
40-41	N 63° 41' E	33.90 m
41-42	N 38° 07' E	48.37 m
42-43	N 04° 54' E	83.85 m
43-44	N 54° 58' W	41.02 m
44-45	N 43° 27' W	21.38 m
45-46	N 06° 06' E	24.19 m
46-47	N 01° 30' W	19.88 m
47-48	N 24° 37' W	85.52 m
48-49	N 04° 56' W	60.58 m
49-50	N 08° 08' E	19.24 m
50-51	N 39° 32' W	21.57 m
51-52	N 28° 51' E	23.75 m
52-53	N 10° 28' W	69.01 m
53-54	N 55° 34' W	29.44 m
54-55	S 09° 22' W	18.81 m

55-56	N 76° 02' W	90.92 m
56-57	N 56° 14' W	46.36 m
57-58	N 04° 13' E	68.44 m
58-59	N 06° 39' W	53.74 m
59-60	N 43° 29' W	83.89 m
60-61	N 10° 56' W	43.51 m
61-62	N 03° 48' W	25.16 m
62-63	N 03° 12' W	44.35 m
63-64	N 67° 53' W	34.68 m
64-65	N 35° 35' W	62.89 m
65-66	N 50° 15' W	40.08 m
66-67	N 50° 15' W	28.32 m
67-68	N 87° 23' W	34.81 m
68-69	S 67° 24' W	16.86 m
69-70	S 47° 06' W	49.38 m
70-71	S 76° 49' W	11.44 m
71-72	N 73° 48' W	46.71 m
72-73	N 24° 42' E	57.68 m
73-74	N 27° 57' E	26.97 m
74-75	N 19° 10' W	71.08 m
75-76	N 56° 32' W	47.38 m
76-77	S 67° 58' W	13.43 m
77-78	S 83° 07' W	48.36 m
78-79	N 64° 55' W	20.17 m
79-80	N 20° 28' W	34.58 m
80-81	N 59° 14' W	22.66 m
81-82	N 05° 10' W	15.08 m
82-83	S 76° 57' E	96.48 m
83-84	S 41° 30' E	79.09 m
84-85	S 83° 13' E	182.40 m

85-86	N 32° 05' E	20.28 m
86-87	N 81° 51' E	22.59 m
87-88	S 58° 38' E	20.48 m
88-89	S 21° 01' W	15.89 m
89-90	S 64° 04' E	15.00 m
90-91	S 64° 03' E	42.02 m
91-92	S 64° 04' E	62.46 m
92-93	N 85° 02' E	113.37 m
93-94	S 89° 30' E	94.19 m
94-95	N 82° 55' E	62.68 m
95-96	N 88° 42' E	90.30 m
96-97	N 77° 07' E	57.77 m
97-98	N 64° 19' E	105.82 m
98-99	N 28° 37' E	22.03 m
99-100	N 08° 28' W	34.95 m
100-101	N 12° 51' E	90.24 m
101-102	N 28° 21' W	28.22 m
102-103	N 01° 28' E	30.35 m
103-104	N 78° 09' E	23.85 m
104-105	S 01° 58' E	28.61 m
105-106	S 03° 36' W	31.59 m
106-107	S 50° 52' E	93.19 m
107-108	S 76° 59' E	87.96 m
108-109	S 29° 00' E	38.77 m
109-110	S 62° 44' W	48.58 m
110-111	S 24° 54' E	131.54 m
111-112	S 57° 24' E	36.50 m
112-113	S 31° 45' W	47.63 m
113-114	S 68° 40' W	74.04 m\
114-115	S 05° 13' W	83.50 m

115-116	S 49° 31' E	35.00 m
116-117	S 30° 18' W	29.27 m
117-118	S 78° 26' W	63.78 m
118-119	S 43° 36' W	21.54 m
119-120	S 04° 37' E	41.43 m
120-121	S 13° 05' E	2.34 m
121-122	S 41° 38' E	72.80 m
122-123	N 74° 18' E	75.52 m
123-124	S 78° 41' E	24.97 m
124-125	S 52° 52' E	60.41 m
125-126	N 88° 46' W	51.92 m
126-127	S 08° 31' W	45.03 m
127-128	S 05° 47' E	42.18 m
128-129	S 69° 23' E	30.51 m
129-130	S 11° 00' W	29.72 m
130-131	S 08° 27' W	28.23 m
131-132	N 75° 44' W	54.91 m
132-133	S 21° 17' W	38.23 m
133-134	S 00° 49' E	74.07 m
134-135	S 47° 14' E	16.14 m
135-136	S 55° 54' E	23.78 m
136-137	S 23° 07' E	58.16 m
137-138	S 26° 57' E	38.56 m
138-139	N 54° 46' W	66.61 m
139-140	S 12° 09' W	184.15 m
140-141	S 13° 19' E	80.71 m
141-142	S 00° 31' W	128.63 m
142-143	S 11° 40' E	78.25 m
143-144	S 11° 38' E	17.32 m
144-145	S 28° 16' E	138.71 m

145-146	S 36° 01' E	156.21 m
146-147	S 51° 24' E	16.93 m
147-148	S 31° 31' E	136.31 m
148-149	S 46° 30' E	116.97 m
149-150	S 10° 37' E	160.86 m
150-151	S 40° 42' W	35.58 m
151-152	S 41° 51' W	71.31 m
152-153	S 41° 49' W	87.43 m
153-154	S 47° 20' W	26.41 m
154-155	S 76° 39' W	144.73 m
155-156	S 63° 42' W	88.83 m
156-157	N 79° 11' W	201.14 m
157-158	S 69° 45' W	42.85 m
158-159	N 76° 22' W	99.48 m
159-160	N 83° 14' W	56.40 m
160-161	S 84° 40' W	56.39 m
161-162	S 00° 13' E	38.45 m
162-163	N 41° 11' W	28.50 m
163-164	N 43° 56' W	15.57 m
164-165	S 77° 10' W	27.45 m
165-166	N 88° 27' W	42.62 m
166-167	S 74° 45' W	48.73 m
167-168	N 34° 27' W	51.34 m
168-169	N 55° 09' W	57.69 m
169-170	N 57° 55' W	19.32 m
170-171	N 76° 10' W	56.09 m
171-172	N 00° 09' W	18.51 m
172-173	N 84° 19' E	59.94 m
173-174	S 86° 16' E	39.79 m
174-175	N 37° 38' E	52.66 m

175-176	N 87° 49' E	26.97 m
176-177	S 19° 03' E	31.78 m
177-178	S 58° 49' E	19.14 m
178-179	S 59° 59' E	23.23 m
179-180	S 66° 35' E	16.65 m
180-181	N 61° 11' E	48.56 m
181-182	N 39° 02' E	62.67 m
182-183	N 33° 09' E	50.55 m
183-184	N 01° 24' W	40.07 m
185-185	N 02° 18' E	205.90 m

Area: One Million Three Hundred Seventy-Seven Thousand Two Hundred Sixty Seven (1,377,267 sq. m.) square meters, more or less.

Description of Corners: All corners are P.S. cyl. conc. Mons. 15x40 cm.

SEC. 3. *Management of Coastal Waters.* – The management of coastal waters, fisheries and other aquatic resources shall be the primary responsibility of the concerned municipality, consistent with Republic Act No. 7160 or the “Local Government Code of 1991” and Republic Act No. 8550 or “The Philippine Fisheries Code of 1998.” For the purposes of this section, the extent of coastal waters is equivalent to the municipal waters under the Fisheries Code: *Provided*, that said municipality shall prepare within twelve (12) months from the effectivity of this Act, a coastal resources management plan that shall clearly delineate fish sanctuaries or marine protected areas, ecotourism and other appropriate management zones: *Provided, further*, that said municipality constituting Malapascua Island shall establish within twenty-four (24) month, through the Malapascua Island Co-Management Steering Committee mandated in Section 8 hereof, an integrated network of marine protected areas for the conservation of fisheries resources and the protection of the marine ecosystem within the Malapascua Island.

SEC. 4. *Co-Management Framework for Management of Lands and Natural Resources.* – The management of lands and natural resources found in the Malapascua Island shall be the joint responsibility of the Department of Environment and Natural Resources (DENR) and the municipality of Daanbantyan, consistent with the principles of local autonomy and subsidiary. Under the co-management system, all the decisions on issues of allocation of resources and resource use rights, management planning, and implementation of management activities, enforcement and the like shall be jointly undertaken. All the decisions of co-management parties shall be final and immediately executory and enforceable, for as long as the said decision are made in accordance with

the authority granted under this Act: *Provided, however*, that the DENR Secretary may, in an appropriate judicial proceeding, seek nullification of any decision that is patently rendered without authority. The DENR Secretary, through the representative in the Co-Management Steering Committee created hereunder, shall exhaust all means for the said committee to reconsider a decision made without authority before seeking judicial intervention.

SEC. 5. *The Malapascua Island Co-Management Steering Committee.* – There is hereby created the Malapascua Island Steering Committee, hereinafter referred to as the Steering Committee, which shall be the highest policy-making body for forestlands and natural resources management in the Malapascua Island. It shall be guided by the basic policy stated in Section 2 hereof. The Co-Management Steering Committee shall be composed of the following members:

- (a) Regional Director of DENR Region VII, as Chairperson;
- (b) Representative of the Provincial Government of Cebu to be designated by the Provincial Governor;
- (c) Mayor of the municipality of Daanbantayan;
- (d) Presidents of the *Liga ng mga Barangay* of each municipality or their designated representatives;
- (e) One (1) representative from civil society groups with existing projects relevant to sustainable forest and mangrove management, appointed by the Chairperson from nominees of civil society groups; and
- (f) One (1) representative from accredited people's organizations.

The Secretariat of the Steering Committee shall be chosen from among the personnel of the Environment and Natural resources Offices of the concerned municipalities and shall be augmented by personnel coming from the DENR and the Province of Cebu

SEC. 6. *Functions of the Co-Management Steering Committee.* – The Steering Committee shall prepare and adopt an overall framework plan for the management, protection and conservation of forest, coastal, marine, mineral, and other natural resources, including the integrated network of marine protected areas for the conservation of fisheries resources and the protection of marine ecosystems in the Malapascua Island. It shall oversee the implementation of each municipal plan for consistency with the thrusts, principles and direction of the overall management framework.

SEC. 7. *Implementation of Resource Management Plans.* – Through their Comprehensive Resource Use Plans (CRUPs), the final implementation of the resource management framework for the Malapascua Island shall be the responsibility of the respective municipalities and the DENR, in coordination with the Department of Agriculture (DA), the Department of Tourism (DOT) and other concerned government agencies. For this purpose, each municipality shall undertake the following:

- (a) Designate zones for allocation of utilization rights in production forests;

- (b) Issue tenure instruments, resource use, cutting, harvesting and transport permits consistent with the CRUPs;
- (c) Monitor and evaluate existing tenure instruments and other agreements and issue cancellation, revocation or renewal orders, whenever necessary, after public hearing; and
- (d) Issue rules and regulations to effectively carry out their function under this Act.

SEC. 8. – *The Role of the DENR.* – In consultation with the Steering Committee, the DENR shall set the overall targets for the management of the natural resources in the said municipality, taking into consideration the national interest and the framework for managing natural resources. It shall ensure that said municipal plan is harmonized with the comprehensive land use plan and resources plans for contiguous areas. The DENR shall provide technical assistance to the Steering Committee and all municipalities in the preparation for their CRUPs, in the issuance of resources rights and the enforcement of laws and local ordinances to ensure consistency with the national policies.

SEC. 9. *Role of the Municipal Government.* – The municipal government of Daanbantayan shall be the primary agency responsible for providing logistical support for the preparation and the implementation of the CRUP, jointly with the DENR. The municipal government concerned shall lead in the enforcement of activities and shall promote participation of local residents and investors in the planning and implementation of management activities. The municipality of Daanbantayan is directed to establish an Environment and Natural Resources Office (ENRO) in the municipality.

SEC. 10. *Role of the Barangay.* – The component barangay shall participate actively in the preparation of the comprehensive Forest Land Use Plan (FLUP) and shall lead in enforcement activities in its jurisdiction. It shall likewise promote the participation of local residents and investors in the planning and implementation of management activities.

SEC. 11. *Role of Other National Government Agencies.* – National government agencies such as the DA, the DOT, the National Mapping and Resource Information Authority (NAMRIA), and other government agencies shall provide relevant technical support to the Steering Committee and the local government units (LGUs) in the preparation and implementation of their CRUPs. Representatives of these agencies may take part in technical working groups, which may require inputs.

SEC. 12. *Role of Other Stakeholders.* – Local stakeholder groups, including research groups, shall be consulted and shall have the right to participate in the planning and implementation of the CRUP and in the monitoring and enforcement activities.

SEC. 13. *Exclusion from the Coverage of Proclamation No. 2151 and Republic Act No. 7586.*

– The Malapascua Island is hereby excluded from the coverage of Presidential Proclamation No. 2151 dated December 29, 1981, entitled “Declaring Certain Islands and/or Parts of the Country as Wilderness Areas” and is likewise disestablished as an initial component of the National Integrated Protected Areas System (NIPAS) established pursuant to Republic Act No. 7586, as amended by Republic Act No. 11038.

SEC. 14. *Penal Provision.* - Any public officer or employee who knowingly recommends or causes the issuance of title over any portion of the protected areas or national parks identified in Sections 3 and 4 hereof and in the rules and regulations promulgated pursuant to this Act, after an appropriate administrative proceeding, shall be dismissed from the service and perpetually disqualified from public office, and upon conviction by a court of competent jurisdiction, be punished with imprisonment of not less than two (2) years nor more than four (4) years and a fine of not less than Five thousand pesos. The land title issued under the aforementioned anomalous circumstances by such public officer or employee shall be null and void.

SEC. 15. *Implementing Rules and Regulations.* – Within six (6) months following the effectivity of this Act, the Secretary of the Department of Environment and Natural Resources, in consultation with the concerned LGU of the Municipality of Daanbantayan, the Provincial Government of Cebu, and concerned national government agencies, shall promulgate the rules and regulations for the effective implementation of this Act.

SEC. 18 *Separability Clause.* – If any provisions of this Act are declared unconstitutional or invalid, other parts or provisions hereof not affected shall continue to be in full force and effect.

SEC. 17. *Repealing Clause.* – The provisions of Republic Act No. 7160 of the “Local Government Code of 1991”, vesting the DENR with powers to supervise, control and review the enforcement by municipalities of environmental laws and limiting their jurisdiction; Presidential Decree No. 1067 or the Water Code; Presidential Decree No. 75, as amended, or the Revised Forestry Code of the Philippines; Republic Act No. 9275 or the Philippine Clean Water Act of 2004; as well as other laws, orders, issuances, rules, and regulations inconsistent with this Act are hereby superseded or modified as they apply to the Malapascua Island.

SEC. 18. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved.