

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

18TH CONGRESS
 Second Regular Session



HOUSE BILL NO. 7748

Introduced by Representative **CARLITO S. MARQUEZ**

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.

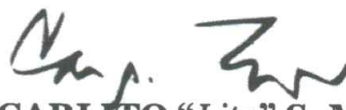
The proposed measure was approved and passed by the House of Representatives on Third and Final Reading both in the 16th and 17th Congress. In the 17th Congress, this was approved on Third and Final Reading on May 22, 2018, was transmitted to the Senate and was received by the same on May 23, 2018.

Pursuant to Proclamation No. 1064, s. 2006, 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 same has also been backed by the Supreme Court since 2008.

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 paced 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 areas has become densely populated. Thus, the reclassification of these lands from the protected area to alienable and disposable land is hereby enjoined.

Immediate passage of this proposed measure is earnestly sought.


ENGR. CARLITO “Lito” S. MARQUEZ

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HOUSE BILL NO. 7748

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AN ACT

DECLARING AS AGRICULTURAL LAND PORTIONS OF FORESTLAND LOCATED IN BARANGAY MANOC-MANOC, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, AMENDING FOR THE PURPOSE PROCLAMATION NO. 1064, 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 THE PRESIDENTIAL DECREE NO. 705 (REVISED FORESTRY REFORM CODE OF THE PHILIPPINES)

Be it enacted by the Senate and the 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

12	thence	2 – 3	S 02°08' W	154.69 meters
13	thence	3 – 4	S 25°33' E	24.84 meters
14	thence	4 – 5	S 52°20' W	49.29 meters
15	thence	5 – 6	S 33°04' W	7.11 meters
16	thence	6 – 7	N 79°10' W	11.83 meters
17	thence	7 – 8	N 86°30' W	92.76 meters
18	thence	8 – 9	S 61°13' W	36.60 meters
19	thence	9 – 10	N 15°44' E	34.08 meters
20	thence	10 – 11	N 28°29' W	78.18 meters
21	thence	11 – 12	N 06°03' W	49.70 meters
22	thence	12 – 13	N 19°39' W	81.52 meters
23	thence	13 – 14	N 21°45' W	54.19 meters
24	thence	14 – 15	N 06°23' W	54.98 meters
25	thence	15 – 16	N 14°44' W	107.00 meters
26	thence	16 – 17	N 15°00' W	20.42 meters
27	thence	17 – 18	S 74°25' E	162.96 meters
28	thence	18 – 19	S 62°10' E	90.81 meters
29	thence	19 – 1	S 63°27' E	68.39 meters

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

31 **BLOCK B**

32 Remaining Portion of Block – J, Forestland

33 (Protection Purposes)

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

38	thence	1 – 2	S 25°33' E	32.19 meters
39	thence	2 – 3	S 50°38' W	76.41 meters
40	thence	3 – 4	N 89°24' W	24.83 meters
41	thence	4 – 5	N 14°12' W	17.15 meters
42	thence	5 – 6	N 88°06' W	65.67 meters
43	thence	6 – 7	S 61°13' W	39.87 meters
44	thence	7 – 8	S 45°02' W	37.32 meters
45	thence	8 – 9	S 13°51' W	17.63 meters
46	thence	9 – 10	N 81°38' W	4.65 meters
47	thence	10 – 11	N 20°48' W	12.65 meters
48	thence	11 – 12	N 04°12' E	8.34 meters
49	thence	12 – 13	N 53°59' W	40.86 meters
50	thence	13 – 14	N 02°44' W	12.64 meters
51	thence	14 – 15	N 46°16' E	9.72 meters
52	thence	15 – 16	S 89°26' E	24.78 meters
53	thence	16 – 17	N 15°44' E	40.66 meters
54	thence	17 – 18	N 28°29' E	71.95 meters
55	thence	18 – 19	N 06°03' W	52.08 meters
56	thence	19 – 20	N 19°41' W	78.59 meters
57	thence	20 – 21	N 21°45' W	56.48 meters
58	thence	21 – 22	N 06°23' W	56.84 meters
59	thence	22 – 23	N 14°44' W	104.81 meters
60	thence	23 – 24	N 29°16' E	33.68 meters
61	thence	24 – 25	S 74°25' E	7.54 meters
62	thence	25 – 26	S 15°00 E	20.42 meters
63	thence	26 – 27	S 14°44' E	107.00 meters

64	thence	27 – 28	S 06°23' E	54.98 meters
65	thence	28 – 29	S 21°45' E	54.19 meters
66	thence	29 – 30	S 19°39' E	81.52 meters
67	thence	30 – 31	S 06°03' E	49.70 meters
68	thence	31 – 32	S 28°29' E	78.18 meters
69	thence	32 – 33	S 15°44' W	34.08 meters
70	thence	33 – 34	N 61°13' E	39.60 meters
71	thence	34 – 35	S 86°30' E	92.76 meters
72	thence	35 – 36	S 79°10' E	11.83 meters
73	thence	36 – 37	N 33°04' E	7.11 meters
74	thence	37 – 1	N 52°20' E	49.29 meters

75 containing an area of two and 362/1000 (2. 362) hectares, more or less.

76 **SEC. 2.** Upon effectivity of this Act, the Department of Environment and
77 Natural Resources (DENR) shall alienate the parcels of land identified in Block A
78 Section 1 hereof through the issuance of a free patent or original certificate of title:
79 *Provided, That the individual applicants can establish proof of ownership, acquisition*
80 *or any other means through their predecessors-in-interest who for at least thirty (30)*
81 *years prior to the effectivity of this Act have continuously occupied, acquired and/or*
82 *cultivated such parcels of land either by themselves or through their predecessors-in-*
83 *interest or have paid the real estate tax thereon. Such qualified persons shall be*
84 *entitled under this Act to be issued a free patent or original certificate of title, as may*
85 *be applicable, for such tract of land not to exceed twelve (12) hectares per applicant.*

86 **SEC. 3.** All existing roads, trails and pathways and a twelve (12) meter buffer
87 zone on each side of the centerline of roads and trails which are reserved for right-of-
88 way shall form part of the area reserved for forestland protection purposes.

SEC. 4. *Implementing Rules and Regulations.* – Within sixty (60) days, from the effectivity of this Act, the DENR shall issue the necessary rules and regulations for its implementation.

SEC. 5. *Separability Clause.* – If any provision or part of this Act is declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining provisions of this Act.

SEC. 6. *Repealing Clause.* – Proclamation No. 1064, S. 2006 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.

SEC. 7. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,