



HOUSE OF REPRESENTATIVES

H. No. 9546

BY REPRESENTATIVES ALBANO, MADRONA, SUANSING (M.A.), CHAN (J.), SALVAME, ANGARA, ALVAREZ (J.), KHO (E.), TUAN, MIRAFLORES, HORIBATA, YAP (J.G.), AGYAO, ALANO, DALOG, MOMO, SINGSON (R.V.), CALDERON, YNARES, CORVERA, REGENCIA, CASTRO, GONZALES (A.M.), TUPAS, PLEYTO, BANCORO, RODRIGUEZ (E.), BELTRAN, DAZA, DEL MAR, GUINTU, BARBA, CAGAS, CAYTON, COLLANTES, ROMAN, ROQUE, UMALI AND SUAN

AN ACT

DECLARING THE MALASI TREE PARK AND WILDLIFE SANCTUARY, LOCATED IN BARANGAY SAN ANTONIO, MUNICIPALITY OF CABAGAN, PROVINCE OF ISABELA, AS AN ECOTOURISM ZONE

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

1 **SECTION 1.** The Malasi Tree Park and Wildlife Sanctuary, located in
2 Barangay San Antonio, Municipality of Cabagan, Province of Isabela, is hereby
3 declared an ecotourism zone. Pursuant thereto, its development shall be prioritized
4 and supported by the Department of Tourism (DOT), subject to the rules and
5 regulations governing the development of ecotourism zones.

6 **SEC. 2.** The Malasi Tree Park and Wildlife Sanctuary Development Council,
7 hereinafter referred to as the Council, is hereby created. It shall be composed of
8 fifteen (15) members, as follows:

9 (a) *Ex Officio* Members

10 (1) Mayor of the Municipality of Cabagan, as Chairperson;

- (2) Head of the Municipal Tourism Office of the Municipality of Cabagan,
as Vice-Chairperson;
- (3) Head of the Municipal Environment and Natural Resources Office of
the Municipality of Cabagan;
- (4) Provincial Environment and Natural Resources Officer of Isabela;
- (5) Barangay Chairperson of Barangay San Antonio;
- (6) Director of the Biodiversity Management Bureau of the Department of
Environment and Natural Resources (DENR);
- (7) Chief Operating Officer of the Tourism Infrastructure and Enterprise
Zone Authority (TIEZA);
- (8) Regional Director of DOT-Region II;
- (9) Regional Director of DENR-Region II;
- (10) Regional Director of the Department of Public Works and Highways-
Region II;
- (11) DENR Provincial Environment and Natural Resources Officer of
Isabela; and
- (12) Chairperson of the Municipal Fisheries and Aquatic Resources
Management Council of the Municipality of Cabagan.

(b) Sectoral Members

- (1) One (1) representative from an academic institution, preferably from a
university or college in the Province of Isabela, with proven track
record in or related to ecotourism and critical habitat management;
- (2) One (1) representative from the private sector, preferably a resident of
the Province of Isabela, who is distinguished in a profession or field of
interest relevant to ecotourism and critical habitat management; and

1 (3) One (1) representative from either a non-governmental organization
2 (NGO) or a people's organization (PO) duly accredited both by the
3 DENR and the Provincial Government of Isabela. The NGO or PO
4 represented should have been in existence for at least five (5) years
5 with proven track record in or related to ecotourism or critical habitat
6 management.

7 The *ex officio* elective members of the Council shall serve for the duration of
8 their respective terms of office to which they are elected.

9 The *ex officio* appointive members of the Council shall serve for the duration
10 of the period they hold the office to which they are appointed.

11 The sectoral members of the Council shall be selected by the *ex officio*
12 members in a fair and transparent manner. They shall each serve a term of three (3)
13 years and may be reappointed for another term.

14 The members of the Council shall serve without compensation, but shall be
15 authorized to actual and necessary traveling and subsistence expenses incurred in
16 the performance of their duties, either in their attendance in meetings of the Council
17 or in connection with other official business authorized by a resolution of the Council,
18 subject to existing rules and regulations. Each member shall have the full capacity
19 and accountability for decisions binding to the member's sector.

20 The Municipal Government of Cabagan shall provide a Secretariat for the
21 Council and the necessary funds to defray the expenses to be incurred by the
22 Secretariat in the performance of its duties and responsibilities.

23 **SEC. 3.** The Council shall have the following functions:

24 (a) Formulate and implement the Malasi Tree Park and Wildlife Sanctuary
25 Development Plan, in consultation with the local residents, businesses,
26 and other stakeholders;

- (b) Assess and evaluate the potential impact of the development to the environmental safety and well-being of the ecotourism zone, communities, and enterprises;
- (c) Provide technical and financial assistance to the communities within the ecotourism zone;
- (d) Formulate rules and regulations in relation to the maintenance and security of the ecotourism zone; and
- (e) Perform other functions as may be necessary to carry out the objectives of this Act.

SEC. 4. Within one (1) year after the approval of this Act, the Council shall prepare the Malasi Tree Park and Wildlife Sanctuary Development Plan to enhance tourism in the area and ensure that the existing ecosystems, endemic wildlife species, as well as migratory species, and naturally occurring flora and fauna and their habitats, are preserved and protected. The Development Plan shall be formulated and implemented in accordance with the Malasi Tree Park and Wildlife Sanctuary Critical Habitat Management Plan and pursuant to the provisions of Republic Act. No. 9147, also known as the *“Wildlife Resources Conservation and Protection Act.”*

SEC. 5. The joint responsibility over the management of the Malasi Tree Park and Wildlife Sanctuary Critical Habitat as mandated under DENR Administrative Order No. 2012-01 shall be transferred from the DENR Region II Office and the Municipal Government of Cabagan, to the Council. For this purpose, the DENR Region II Office and the Municipal Government of Cabagan shall coordinate with the Council and provide the necessary technical assistance to ensure the continued implementation of the Critical Habitat Management Plan.

1 The transfer of management of the Malasi Tree Park and Wildlife Sanctuary
2 Critical Habitat shall include all applicable funds, records, property, assets, liabilities,
3 equipment, and personnel: *Provided*, That all personnel presently employed by the
4 DENR-Region II Office and the Municipal Government of Cabagan for the purpose
5 shall continue their service without diminution of rank, base pay, allowance, and
6 other benefits authorized under existing laws.

7 **SEC. 6.** The DOT shall assist the Council in the implementation of the
8 development plan by providing technical assistance in tourism capacity building. It
9 shall also include the Malasi Tree Park and Wildlife Sanctuary in its national and
10 regional promotion programs.

11 **SEC. 7.** The funding for the implementation of this Act shall be included in the
12 annual budget of the Municipal Government of Cabagan. The DOT may augment
13 such allocation with internally generated funds.

14 **SEC. 8.** Within ninety (90) days after the effectivity of this Act, the Council
15 shall, in consultation with the Municipal Government of Cabagan, DOT, DENR, and
16 concerned agencies of the government, promulgate the rules and regulations to
17 implement this Act.

18 **SEC. 9.** If any provision or part of this Act shall be declared unconstitutional
19 or invalid, the other provisions not affected thereby shall remain in full force and
20 effect.

21 **SEC. 10.** All laws, rules, regulations, executive orders, presidential decrees,
22 or other issuances contrary to or inconsistent with any of the provisions of this Act
23 are hereby deemed repealed or amended accordingly.

24 **SEC. 11.** This Act shall take effect fifteen (15) days after its publication in the
25 *Official Gazette* or in a newspaper of general circulation.

Approved,