



HOUSE OF REPRESENTATIVES

H. No. 8864

BY REPRESENTATIVES BRAVO (M.V.) AND ABELLANOSA, PER
COMMITTEE REPORT NO. 1075

AN ACT PROVIDING FOR MODES OF DISPOSITION
FOR AGRICULTURAL LANDS WITHIN TICAO AND
BURIAS ISLANDS, PROVINCE OF MASBATE,
DECLARED AS SPECIAL ECOTOURISM ZONES OR
TOURISM ENTERPRISE ZONES AND PROVIDING
ENVIRONMENTAL SAFEGUARDS THEREFOR

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

1 SECTION 1. *Short Title.* – This Act shall be known as the
2 “Ticao-Burias Ecotourism Zones Alienable Lands Act”.

3 SEC. 2. *Declaration of Policy.* – It is hereby declared the
4 policy of the State to provide for a more equitable distribution of
5 opportunities, income and wealth, specifically for lands forming part
6 of its public domain which have been classified as alienable and
7 disposable, located within areas declared as special ecotourism
8 zones (SEZs), including cultural heritage ecotourism zones and/or
9 tourism enterprise zones (TEZs), and at the same time protect and
10 conserve the country’s natural resources, continue to promote
11 tourism and local development.

1 SEC. 3. *Coverage.* – The provisions of this Act shall apply to
2 the parcels of land of the public domain located in the SEZs or TEZs
3 of the Ticao and Burias Islands, which have been declared and
4 delineated as agricultural lands open to disposition for agricultural,
5 residential, commercial, industrial or other productive purposes:
6 *Provided, however,* That the Department of Environment and
7 Natural Resources (DENR), in coordination with the National
8 Mapping and Resource Information Authority (NAMRIA) and the
9 local government units (LGUs) concerned, shall conduct a
10 mandatory review of the classification of the lands subject for
11 disposition. Such review shall be made as basis for the
12 confirmation or correction, as the case may be, of their technical
13 description.

14 The aforementioned agricultural lands are likewise hereby
15 excluded from the operation of Presidential Proclamation No. 1801,
16 dated 10 November 1978, entitled “Declaring Certain Islands, Coves
17 and Peninsulas as Tourist Zones and Marine Reserve under the
18 Administration and Control of the Philippine Tourism Authority”.

19 SEC. 4. *Modes of Disposition.* – The DENR shall alienate the
20 agricultural lands identified in Section 3 hereof, subject to the
21 limitations provided for in this Act, through the issuance of a free
22 patent over any parcel thereof to any citizen of the Philippines, who
23 for at least thirty (30) years prior to the effectivity of this Act, has
24 continuously occupied and/or cultivated either personally or through
25 the predecessors-in-interest, or who shall have paid the real estate
26 tax thereon. Such qualified person shall be entitled under this
27 Act to a free patent for such tract of land not to exceed twelve (12)

1 hectares: *Provided*, That the disposition of lands for residential
2 purposes shall be governed by Republic Act No. 10023, otherwise
3 known as the Residential Free Patent Law: *Provided, further*,
4 That other modes of disposition of alienable and disposable lands
5 under Commonwealth Act No. 141, otherwise known as the
6 "The Public Land Act", as amended, shall likewise be applicable.

7 The DENR shall reserve lands or lots of sufficient size and
8 strategic location to concerned municipal governments and other
9 agencies of the national government for essential public purposes
10 and/or services such as school buildings, public plazas, health
11 centers and similar offices and for other purposes such as necessary
12 avenues, streets and alleyways: *Provided*, That any title that may
13 be issued over lands for public purposes shall be in the name of the
14 Republic of the Philippines, and all roads, avenues, streets,
15 alleyways shall be in the name of the concerned municipal
16 governments.

17 SEC. 5. *Protected Forest Lands*. – Areas of the public domain
18 within the SEZs or TEZs classified as forest lands pursuant to
19 pertinent laws, including caves and cave resources, shall continue to
20 be protected forest lands and inalienable portions of the public
21 domain. Such forest lands shall be conserved, preserved and
22 regulated by the DENR jointly with the concerned municipal
23 governments, and concerned national agencies pursuant to the
24 provisions of Presidential Decree No. 705, as amended, or the
25 "Revised Forestry Code of the Philippines", Republic Act No. 9072,
26 or the "National Caves and Cave Resources Management and
27 Protection Act", their implementing rules and regulations, as well

1 as other pertinent laws, proclamations, issuances and
2 administrative orders on conservation and environmental
3 protection.

4 SEC. 6. *Strict Regulation of the Utilization and Development*
5 *of Ticao and Burias Islands.* – The utilization and development of
6 all areas in Ticao and Burias Islands along the SEZs or TEZs shall
7 be strictly regulated by the DENR pursuant to all laws and statutes
8 on the utilization and protection of natural resources and the
9 environment, and must strictly comply with the land use plan
10 approved by the LGUs and the requirements imposed by existing
11 DENR rules, regulations and other issuances, taking into
12 consideration the sustainable use and development of the area and
13 according utmost respect to the rights of indigenous cultural
14 communities to their ancestral lands. For the safety of the local
15 communities and tourists, the development of the SEZs or TEZs
16 shall take into consideration the hazard-prone areas wherein
17 development activities shall be prohibited even though they are
18 located within the parcels of land delineated and declared as
19 agricultural land.

20 SEC. 7. *Penalty.* – The penalty of six (6) years imprisonment
21 or a fine of Three hundred thousand pesos (P300,000.00) or both at
22 the discretion of the court shall be imposed upon any person who
23 shall violate the provisions of this Act. In addition to the
24 aforementioned penalties, the offending party, if a government
25 official or employee, shall suffer the penalty of perpetual absolute
26 disqualification from holding public office.

1 SEC. 8. *Implementing Rules and Regulations.* – Within
2 ninety (90) days from the effectivity of this Act, the DENR in
3 coordination with the NAMRIA, the LGUs, government agencies,
4 private organizations, nongovernment organizations and other
5 stakeholders shall issue the rules and regulations necessary to
6 effectively implement the provisions of this Act.

7 SEC. 9. *Separability Clause.* – If any provision of this Act is
8 declared unconstitutional or invalid, other parts or provisions hereof
9 not affected thereby shall continue to be in full force and effect.

10 SEC. 10. *Repealing Clause.* – All laws, decrees, executive
11 orders, rules and regulations, or parts thereof which are contrary to
12 or inconsistent with this Act are hereby repealed, amended or
13 modified accordingly.

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

Approved,

O