



HOUSE OF REPRESENTATIVES

H. No. 10533

BY REPRESENTATIVES ALBANO, ARAGONES, BASCUG, VIOLAGO, GATO, GO (M.),
MATUGAS, FARIÑAS (R.C.), EBCAS, BAÑAS-NOGRALES, DAGOOC, SAULOG,
GUYA, SAVELLANO, BARBA, DY (F.), FRASCO, LOYOLA, SILVERIO AND
ELAGO, PER COMMITTEE REPORT NO. 1340

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

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 Barangay San
2 Antonio, Municipality of Cabagan, Province of Isabela, is hereby declared an ecotourism
3 zone. As such, its development shall be prioritized by the Department of Tourism (DOT) and
4 the Department of Environment and Natural Resources (DENR), 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 fifteen (15)
8 members, as follows:

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

- 19 b) Members Who Shall Represent Sectoral Concerns
- 20 1) One (1) representative from an academic institution, preferably from a
- 21 university or college in the Province of Isabela, with proven track record in
- 22 or related to ecotourism and critical habitat management;
- 23 2) One (1) representative from the private sector, preferably a resident of the
- 24 Province of Isabela, who is distinguished in a profession or field of interest
- 25 relevant to ecotourism and critical habitat management; and

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

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

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

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

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

19 The municipal government of Cabagan shall provide a Secretariat for the Council and
20 the necessary funds to defray the expenses to be incurred by the Secretariat in the
21 performance of their duties and responsibilities.

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

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

1 (b) Assess and evaluate the potential impact of the development to the
2 environmental safety and well-being of the ecotourism zone, communities, and enterprises;

3 (c) Provide technical and financial assistance to the communities within the
4 ecotourism zone;

5 (d) Formulate rules and regulations in relation to the maintenance and security of
6 the ecotourism zone; and

7 (e) Perform other functions as may be necessary to carry out the objectives of this
8 Act.

9 **SEC. 4.** Within one (1) year after the approval of this Act, the Council shall prepare
10 the Malasi Tree Park and Wildlife Sanctuary Development Plan to enhance tourism in the
11 area and ensure that the existing ecosystems, endemic wildlife species, as well as migratory
12 species, and naturally occurring flora and fauna and their habitats, are preserved and
13 protected. The Malasi Tree Park and Wildlife Sanctuary Development Plan shall be
14 formulated and implemented in accordance with the Malasi Tree Park and Wildlife Sanctuary
15 Critical Habitat Management Plan and pursuant to the provisions of Republic Act. No. 9147,
16 also known as the "*Wildlife Resources Conservation and Protection Act*". It shall be
17 incorporated in the National Tourism Development Plan of the Department of Tourism
18 pursuant to Republic Act No. 9593, otherwise known as the "*Tourism Act of 2009*".

19 **SEC. 5.** The joint responsibility over the management of the Malasi Tree Park and
20 Wildlife Sanctuary Critical Habitat as mandated under DENR Administrative Order No.
21 2012-01 shall be transferred from the DENR Region II Office and the municipal government
22 of Cabagan, to the Council. For this purpose, the DENR Region II Office and the municipal
23 government of Cabagan shall coordinate with the Council and provide the necessary technical
24 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 Critical
2 Habitat shall include all applicable funds, records, property, assets, liabilities, equipment, and
3 personnel: *Provided*, That all personnel presently employed by the DENR-Region II Office
4 and the municipal government of Cabagan for the purpose shall continue their service
5 without diminution of rank, base pay, allowance, and other benefits authorized under existing
6 laws.

7 **SEC. 6.** The Secretaries of DOT and DENR shall include in their respective
8 Department's program the implementation of this Act, the funding of which shall be included
9 in the annual General Appropriations Act, and shall augment such allocation with internally
10 generated funds of the DOT.

11 **SEC. 7.** Within ninety (90) days from the effectivity of this Act, the DOT shall, in
12 coordination with the DENR, the TIEZA and the municipal government of Cabagan,
13 promulgate the necessary rules and regulations for the proper implementation of this Act.

14 **SEC. 8.** If any part or provision of this Act is declared unconstitutional or invalid, the
15 other parts or provisions not affected shall remain in full force and effect.

16 **SEC. 9.** All laws, executive orders, presidential decrees, rules and regulations or
17 parts thereof contrary to or inconsistent with any of the provisions of this Act are hereby
18 repealed or amended accordingly.

19 **SEC. 10.** This Act shall take effect fifteen (15) days after its publication in the
20 *Official Gazette* or in a newspaper of general circulation.

Approved,