

NINETEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



Senate
Office of the Secretary

'22 JUL 18 P1 :44

SENATE
S. No. 706

RECEIVED BY:

Introduced by Senator Grace Poe

**AN ACT
INSTITUTIONALIZING SUSTAINABLE COASTAL TOURISM, PROVIDING
MECHANISMS FOR ITS INSTITUTIONALIZATION, APPROPRIATING FUNDS
THEREFOR, AND FOR OTHER PURPOSES**

EXPLANATORY NOTE¹

The tourism sector is one of the bright spots of the Philippine economy. In 2019, prior to the COVID-19 pandemic, the Philippine Statistics Authority (PSA) estimated the contribution of the tourism industry to the Philippine economy at 12.7 percent or ₱2.2 trillion in 2018.² The Asian Institute of Management (AIM) further noted that prior to the pandemic, the country's tourism sector has been growing at an average of 10%, similar to the growth seen in remittances³. Meanwhile, the World Travel and Tourism Council ("the Council") projected that the direct contribution of travel and tourism to the country's Gross Domestic Product (GDP) will rise to ₱6,240.6 billion or 22.4% of GDP in 2028.⁴

Our coastal resources will play an enormous role in achieving our tourism sector's potential. Being an archipelago, our coastline stretches for some 36,000 kilometers and encompasses around 800 municipalities. For many foreigners and tourists, these coastlines represent our country - the Philippines they see in postcards and travel blogs. Domestic and foreign films boasting and/or featuring

¹ We would like to acknowledge the assistance of Ms. Hanniel Almasco in drafting this measure.

² Philippine Statistics Authority. *Contribution of Tourism to the Philippine Economy is 12.7 percent in 2018*. Retrieved from <https://psa.gov.ph/tourism-satellite-accounts-press-releases>

³ Tirona, A. (17 June 2021). *Tourism contribution to GDP lowest in at least 2 decades*. <https://www.bworldonline.com/tourism-contribution-to-gdp-lowest-in-at-least-2-decades/>

⁴ World Travel and Tourism Council. *Travel and Tourism Economic Impact 2018 Philippines*. Retrieved from <https://www.wttc.org/economic-impact/country-analysis/country-reports/>

Philippine beaches in Siargao, Palawan, La Union, Batangas, among others, have attracted a lot more tourists to visit our beaches.

Supply follows the flow of demand. Thus, resorts and hotels have sprung up in beaches often visited by tourists. Obviously, this has had a huge multiplier effect in terms of tourist arrivals and economic growth. However, the unmanaged growth has caused environmental experts to raise red flags on the negative effects of this business model.

Boracay island is an instructive example.⁵ Boracay is a small island in Western Visayas that is popular among tourists for its white-sand beaches. The island's popularity began in the 1970s and has continued to grow ever since. Hotels, lodging houses, second homes, and restaurants were constructed both along the beach and away from the coast to accommodate rising tourist arrivals. The overdevelopment and overcrowding in Boracay has led to a series of environmental issues. Untreated sewage from these buildings were dumped into the sea due to the lack of a developed wastewater system. High levels of coliform bacteria in the island were noted as early as 1997. Groundwater shortages have been noted. The lack of a developed waste management system has led to the mounting land pollution.

This is the reason why on 26 April 2018, President Rodrigo Duterte ordered the closure of Boracay for a maximum period of six months to rehabilitate the island with focused efforts on the treatment of drainage and wastewater.⁶

Palawan, Panglao Island in Bohol, and Siargao Island in Surigao are among other popular beach destinations in the country facing similar problems and are

⁵ Smith, R.A. "The Development and Management of Beach Resorts: Boracay Island, The Philippines" *Asia Pacific Journal of Tourism Research*. April 2011. Retrieved from https://www.researchgate.net/profile/Russell_Smith10/publication/254240520_The_Development_and_Management_of_Beach_Resorts_Boracay_Island_The_Philippines/links/55fb7ff908aec948c4afae49/The-Development-and-Management-of-Beach-Resorts-Boracay-Island-The-Philippines.pdf

⁶ CNN Philippines. *Rebuilding Boracay: Timeline, what to expect*. Retrieved from <http://nine.cnnphilippines.com/news/2018/04/05/boracay-reopening-timeline.html>

currently placed under the radar of the Department of Environment and Natural Resources (DENR) for possible rehabilitation.⁷

While the pandemic negatively impacted the tourism sector, the lockdown and restriction of tourism activities allowed our beaches and coastal waters to rebound. This now presents us with a unique opportunity to start anew in our endeavor to promote sustainable coastal tourism that reconciles social and economic growth with the right to a balanced and healthful ecology.

With all these to consider, it is an undeniable fact that immediate action must be taken to preserve our beaches. To this end, this measure hereby proposes the institutionalization of a Sustainable Coastal Tourism council who shall govern sustainable coastal tourism efforts, and oversee the implementation of Local Government Units of their respective Local Sustainable Coastal Tourism Plans.

It is for the above reasons that the speedy approval of this bill is eagerly sought.



GRACE POE

⁷ Kabling, G. *Massive rehab for Panglao Island, El Nido*. Retrieved from <https://news.mb.com.ph/2018/12/05/massive-rehab-for-panglao-island-el-nido/>

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

ARTICLE I

GENERAL PROVISIONS

1 Section. 1. *Short Title.* – This Act shall be known as the "Sustainable Coastal
2 Tourism Act".

3 Sec. 2. *Declaration of Policy.* – The State recognizes the indispensable role of
4 coastal tourism in promoting rapid and inclusive growth among coastal provinces
5 and affected local government units. The State further recognizes the pressure
6 which coastal tourism bears upon marine and coastal environments. To this end, the
7 State hereby declares it a policy to promote sustainable coastal tourism to reconcile
8 the social and economic growth from coastal tourism with the people's right to a
9 balanced and healthful ecology in accord with the rhythm and harmony of nature.

10 Sec. 3. *Definition of Terms.* – As used in this Act:

11 a) *Coastal Local Government Unit* or *Coastal LGU* refers to LGUs bordering a
12 coast regardless of income classification;

13 b) *Coastal Recreational Area* refers to coastal areas, including shores, sand
14 bars, bays, lagoon mouths, and coastal estuaries within the tidal zone,
15 which are used by the public for recreational activities such as swimming,
16 bathing, surfing, skimboarding and any other water sports;

- 1 c) *Council* refers to the National Council for Sustainable Coastal Tourism
2 established under this Act;
- 3 d) *Local Sustainable Coastal Tourism Plans* or *Plan* refers to the plans to be
4 formulated by coastal provinces under this Act in consultation with
5 affected cities, municipalities and communities;
- 6 e) *National Coastal Recreational Area Quality Framework* or *Framework*
7 refers to the Framework to be established by the Council under this Act;
8 and
- 9 f) *Sustainable Coastal Tourism* refers to an approach to coastal tourism
10 which reconciles tourism with environmental sustainability.

11 ARTICLE II

12 NATIONAL COUNCIL FOR SUSTAINABLE COASTAL TOURISM

13 Sec. 4. *Establishment of the Council.* – The National Council for Sustainable
14 Coastal Tourism, herein referred to as “the Council”, is hereby established. The
15 Council shall be the policy-making, standard-setting, planning, coordinating,
16 enforcing, monitoring, and advisory body of the government on sustainable coastal
17 tourism. The Council shall be an independent agency attached to the Department of
18 Environment and Natural Resources (DENR), with a separate budget under the
19 General Appropriations Act.

20 Sec. 5. *Powers and Functions of the Council.* – The Council shall be
21 empowered to:

- 22 a) Formulate the National Coastal Recreational Area Quality Framework,
23 which shall include but not be limited to the following measurable
24 requirements:
- 25 1. Ecological Waste Management
 - 26 2. Water quality and sanitation;
 - 27 3. Accessibility;
 - 28 4. Preventing and reversing coastal degradation;
 - 29 5. Protection of marine flora and fauna;
 - 30 6. Presence of emergency health services; and

- 1 7. Other measurable and reasonable quality standards pursuant to the
2 declared state policy of this Act or other related laws or rules and
3 regulations.
- 4 b) Supervise the formulation and implementation of Local Sustainable Coastal
5 Tourism Plans;
- 6 c) Utilize the Sustainable Coastal Tourism Challenge Fund created under this
7 Act as an incentive for LGUs to implement the provisions of this Act;
- 8 d) Recognize meritorious and/or extraordinary implementation of this Act by
9 LGUs through awards;
- 10 e) Review, harmonize, and identify gaps in existing rules and regulations on
11 sustainable coastal tourism;
- 12 f) Conduct an inventory and assess the quality of all existing and potential
13 coastal recreational areas in the country;
- 14 g) Compile, use, and provide access to data on coastal recreational areas,
15 which shall include but not be limited to location, magnitude, tourist
16 arrivals, revenue from sustainable coastal tourism, coastal degradation,
17 water quality and sanitation, accessibility, and habitation of marine
18 wildlife;
- 19 h) Research and develop community-based and sustainable coastal tourism
20 models and promote their adoption among local government units;
- 21 i) Receive grants, contributions, donations, endowments, bequests, or gifts
22 in cash, or in kind from local and foreign sources in support of the
23 development and implementation of climate change programs and plans:
24 Provided, that such donations shall not be used to fund personal services
25 expenditures and other operating expenses of the Council;
- 26 j) Provide capacity building and technical assistance to coastal municipalities,
27 cities and provinces in evaluating, formulating, and reviewing local
28 sustainable coastal tourism plans;
- 29 k) Mobilize non-government, private and international participation in local
30 sustainable coastal tourism plans and projects; and
- 31

1 l) Provide awards and other forms of recognition to coastal provinces and
2 affected LGUs which provide good examples of implementing sustainable
3 coastal tourism.

4 Sec. 6. *Composition.* – The Council shall be composed of:

- 5 a) The Secretary of the DENR, or his duly authorized representative, as
6 chairperson;
- 7 b) The Secretary of the Department of Tourism (DOT), or his duly authorized
8 representative, as Co- Chairperson;
- 9 c) The Secretary of the Department of Transportation (DOTr), or his duly
10 authorized representative;
- 11 d) The Secretary of the Department of Public Works and Highways (DPWH),
12 or his duly authorized representative;
- 13 e) The Secretary of the Department of Health (DOH), or his duly authorized
14 representative;
- 15 f) The Secretary of the Department of Interior and Local Government
16 (DILG), or his duly authorized representative;
- 17 g) Two (2) representatives from the academe who shall be experts in
18 sustainable coastal management and/or related disciplines; and
- 19 h) Three (3) representatives from reputable non-government organizations
20 working on sustainable coastal tourism.

21 The representatives from the academe and non-government organizations
22 shall be appointed by the Council.

23 Sec. 7. *National Sustainable Coastal Recreational Area Quality Framework.* –

24 The Council shall formulate a National Coastal Recreational Area Quality Framework,
25 herein referred to as “The Framework”, within ninety (90) days from the effectivity
26 of this Act. The Framework shall be used to:

- 27 a) Assess the quality of all coastal recreational areas in the country;
- 28 b) Guide national government agencies in formulating, implementing and
29 monitoring policies, programs and projects in relation the goals of this Act;
30 and,
- 31 c) Guide coastal provinces, coastal cities and coastal municipalities in
32 formulating their respective local sustainable coastal tourism plans.

- 1 a) The DOT shall provide technical and financial assistance in marketing,
2 promoting and developing sustainable coastal tourism projects. The DOT
3 shall also coordinate with the Philippine Information Agency (PIA) in
4 formulating and disseminating information against the collection of flora
5 and fauna in coastal recreational areas;
- 6 b) The DPWH shall construct access roads and other essential infrastructure
7 that are sustainably masterplanned for coastal recreational areas, in
8 coordination with the DOT, the DILG and the concerned coastal provinces
9 and affected local government units: Provided, that all infrastructure
10 constructed pursuant to this Act shall be planned and maintained in an
11 environmentally sustainable manner;
- 12 c) The DOTr shall assist in the provision of transportation services for coastal
13 recreational areas, in coordination with the DOT, the DILG, and the
14 concerned coastal provinces and affected local government units;
- 15 d) The DENR and its attached agencies shall provide technical and financial
16 assistance in monitoring and the status of flora and fauna in coastal
17 recreational areas and maintaining their assistance;
- 18 e) The DOH and the DENR- Environmental Management Bureau shall
19 formulate and enforce water quality and sanitation standards for coastal
20 recreational areas. The DOH shall also provide technical assistance to
21 coastal provinces and affected local government units in monitoring such
22 standards in coastal recreational areas; and
- 23 f) The DILG, in coordination with the Council, shall take the lead in raising
24 awareness of sustainable coastal tourism among coastal provinces and
25 affected local government units.

26 ARTICLE IV

27 ROLES OF LOCAL GOVERNMENT UNITS

28 Sec. 12. *Local Sustainable Coastal Tourism Plans.* – Coastal LGUs shall
29 formulate and implement their respective Local Sustainable Coastal Tourism Plans,
30 herein referred to as “the plan”, to ensure the quality of coastal recreational areas
31 within their jurisdiction. The plans shall include, but not be limited to:

- 1 a) Promotion and marketing of sustainable coastal recreational areas in their
2 jurisdiction;
- 3 b) Provision of proper and well-equipped waste management facilities which
4 can accommodate 50% more than the total number of waste produced by
5 the coastal area in a day;
- 6 c) Provision of facilities for coastal tourism, including the acquisition of
7 equipment, regulation and supervision of business concessions, and
8 security services for such facilities;
- 9 d) Clean-ups of coastal recreational areas;
- 10 e) Banning tourists and locals from collecting samples of flora and fauna
11 found in coastal recreational areas;
- 12 f) Collection of tourism access fees from coastal recreational areas: Provided,
13 that all amounts collected pursuant to this provision shall accrue to the
14 city or municipal government from which it was collected and which shall
15 be accounted for in accordance with existing government rules and
16 regulations: Provided further, that the all amounts collected shall be used
17 by the LGU to implement the provisions if this Act;
- 18 g) Inspection and regulation of water quality and sanitation in coastal
19 recreational areas;
- 20 h) Construction and maintenance of sustainably planned and maintained
21 access roads near coastal recreational areas;
- 22 i) Enforcement of easement zones as provided in Presidential Decree No.
23 1067, s. 1976, otherwise known as the Water Code of the Philippines;
- 24 j) Provision of emergency health services;
- 25 k) Dismantling of structures which prevent access to coastal recreational
26 areas; and
- 27 l) Moratorium on mining of sand and other minerals in or near coastal
28 recreational areas.

29 Local sustainable coastal tourism plans shall integrate the measurable
30 indicators used in the National Coastal Recreational Area Quality Framework. Coastal
31 LGUS shall consult affected communities in formulating their respective plans.

1 ARTICLE V

2 FINAL AND TRANSITORY PROVISIONS

3 Sec. 13. *Appropriations.* – The amounts necessary to implement this Act shall
4 be taken from the current budget of the Department of Environment and National
5 Resources. Thereafter, such amounts necessary to effectively carry out the
6 provisions of this Act shall be included in the annual General Appropriations Act.

7 Sec. 14. *Penalty for Non-Compliant LGUs.* – Local government officials who
8 fail to formulate and implement their Local Sustainable Coastal Tourism Plan shall be
9 charged with the penalty of dereliction of duty as defined under Chapter IV, Section
10 6 of Republic Act No. 7160, otherwise known as the “Local Government Code of
11 1991”.

12 Sec. 15. *Implementing Rules and Regulations.* – The DENR, DOT, DOTr,
13 DPWH, DOTr, DOH, DILG shall promulgate the implementing rules and regulations
14 of this Act within ninety (90) days from its effectivity.

15 Sec. 16. *Separability Clause.* – If for any reason any section or provision of
16 this Act is declared as unconstitutional or invalid, the other sections or provisions
17 hereof shall not be affected thereby.

18 Sec. 17. *Repealing Clause.* – All laws, ordinances, rules and regulations, and
19 other issuances or parts thereof which are inconsistent with this Act are hereby
20 repealed or modified accordingly.

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

Approved,