



HOUSE OF REPRESENTATIVES

H. No. 5597

BY REPRESENTATIVES MARQUEZ, MADRONA, CHATTO, ANGARA, ALVAREZ (J.), LUISTRO, RILLO, CHAN, AGARAO, ALMARIO, AUMENTADO, MATUGAS, SINGSON (R.), EMANO, GARCIA (M.A.), SALI, HORIBATA, ZAMORA (M.C.), DELOS SANTOS, ABUNDA, LAGON (D.), MANQUIZ, OUANO-DIZON, TUTOR, GO (E.C.), BUHAIN, CAGAS, TUPAS, GO (M.), GORRICETA, DALOG, YU (J.V.), CRUZ (R.), GATO, LIMKAICHONG, ESCUDERO, CARI, YU (D.G.), SALVAME, SACDALAN, KHO (R.), LEGARDA, GULLAS, MIGUEL, ALONTE, PLEYTO, GUTIERREZ, MAGSINO, PADIERNOS, GONZALES (A.), FRASCO, HERRERA, ALBANO, BASCUG, CABREDO, CHUNGALAO, COLLANTES, CUARESMA, KHO (O.), LOYOLA, MARIANO-HERNANDEZ, NAVA, OLIVAREZ, PLAZA, RODRIGUEZ (R.), SILVERIO AND SUANSING (M.A.), PER COMMITTEE REPORT NO. 82

AN ACT

DECLARING THE BAKHAWAN ECO-PARK IN BARANGAY NEW BUSWANG, MUNICIPALITY OF KALIBO, PROVINCE OF AKLAN, AN ECOTOURISM ZONE

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

1 **SECTION 1.** *Declaration of Policy.* – It is the policy of the State to promote a
2 tourism industry that is ecologically sustainable, responsible, participative, culturally
3 sensitive, economically viable and equitably beneficial to local communities.

4 **SEC. 2.** *Bakhawan Eco-Park Ecotourism Zone.* – The Bakhawan Eco-Park in
5 Barangay New Buswang, Municipality of Kalibo, Province of Aklan, is hereby declared a

1 community-based ecotourism zone. Pursuant thereto, its development shall be prioritized and
2 supported by the Department of Tourism (DOT), subject to the rules and regulations
3 governing the development of ecotourism zones.

4 **SEC. 3. *Scope and Coverage.*** – This Act shall cover the boundaries of the 220-hectare
5 mangrove forest of the Bakhawan Eco-Park, Barangay New Buswang, Municipality of
6 Kalibo, Province of Aklan.

7 The setting of technical boundaries of the ecotourism zone shall be undertaken by the
8 Department of Environment and Natural Resources (DENR) and other concerned agencies.

9 **SEC. 4. *Definition of Terms.*** – As used in this Act:

10 (a) *Biodiversity conservation* refers to the practice of preserving the variety of
11 species, habits and ecosystems, and genetic diversity of the place, including
12 *inter alia*, terrestrial, marine and other aquatic ecosystems, and the ecological
13 complexes which they are a part of;

14 (b) *Community-based tourism* refers to a form of tourism where the local
15 community and its residents have substantial control over and involvement in
16 the development and management of the local tourism industry and a greater
17 portion of the economic gains remain within the community;

18 (c) *Ecotourism* refers to a form of sustainable tourism within a natural area where
19 community participation, protection and management of natural resources,
20 cultural and indigenous knowledge and practices, environmental education
21 and ethics, as well as economic benefits are fostered and pursued for the
22 enrichment of host communities and satisfaction of visitors;

23 (d) *Homestay* refers to a system of tourist accommodation where a tourist stays
24 with local residents and experiences the day-to-day life of the residents of the

1 Bakhawan Eco-Park community, Barangay New Buswang and the
2 Municipality of Kalibo; and

3 (e) *Responsible ecotourism* refers to a form of sustainable tourism in which both
4 the tourism sector and the tourists take responsibility in the protection, respect,
5 and conservation of the natural environment and the local culture and ways of
6 life, and where community participation as well as economic benefits are
7 fostered and pursued for the well-being of the local people in Barangay New
8 Buswang and visitors.

9 **SEC. 5. *Development Strategies.*** – To accomplish the development of the Bakhawan
10 Eco-Park as an ecotourism zone, the State shall:

- 11 (a) Develop and promote responsible “community-based ecological tourism” as
12 the core management strategy in the development of the Bakhawan Eco-Park;
- 13 (b) Ensure the conservation of the biodiversity and the preservation of said Eco-
14 Park;
- 15 (c) Develop tourism products and programs that shall generate employment and
16 livelihood for the local residents and non-governmental organizations (NGOs)
17 concerned, consistent with the preservation and maintenance of the mangrove
18 forest;
- 19 (d) Guarantee that the financial and economic benefits of the tourism industry are
20 equitably shared by and distributed among the local residents and NGOs
21 concerned, by giving preference and support to community- and home-based
22 micro and small tourism enterprises, such as local inns, lodges and homestays,
23 restaurants, food and fruit stands, and other similar tourism-oriented industries
24 and businesses;

- 1 (e) Ensure that the quality of local tourism programs and activities are educational
2 and enriching for tourists and visitors through the provision of orientation,
3 educational and tour programs by local tour operators, NGOs, the municipal
4 government of the Municipality of Kalibo and the DOT; and
- 5 (f) Guarantee that, in the development and promotion of the local tourism
6 industry, the municipal government of the Municipality of Kalibo ensures the
7 adequate provision of water, food, energy, and local construction materials to
8 residents.

9 **SEC. 6.** *Tourism Development Plan for the Bakhawan Eco-Park.* – The municipal
10 government of the Municipality of Kalibo shall, in coordination with the DOT, DENR and
11 concerned agencies of the government, prepare the Tourism Development Plan for the
12 Bakhawan Eco-Park that shall be complemented by a set of guidelines for a responsible
13 community-based ecotourism.

14 The Tourism Development Plan shall ensure the preservation of the area and shall
15 include the following components:

- 16 (a) Determination and description of the carrying capacity of the Eco-Park;
17 (b) Specific site assessment;
18 (c) Identification of strategic priorities;
19 (d) Product development plans for local income generation;
20 (e) Capacity-building for the local community so residents therein can ably
21 manage economically viable and responsible community-based ecotourism
22 business enterprises;
23 (f) Strategies to promote the formulation of local production groups and
24 networks, including the marketing and pricing of products; and

1 (g) Marketing strategies that uphold the natural, social and environmental
2 integrity of the Bakhawan Eco-Park and its local residents.

3 **SEC. 7. *Formulation of Guidelines and Standards.*** – The concerned Protected Area
4 Management Board of the DENR shall assist the local governments of the Municipality of
5 Kalibo and Barangay New Buswang in the formulation of local tourism standards to ensure
6 that environmental protection is integrated in the development of ecotourism plans.

7 These local tourism standards shall:

8 (a) Raise the capacity of all stakeholders and ensure that best practices are
9 followed;

10 (b) Ensure optional use of water and energy;

11 (c) Reduce waste and pollution through environmentally-sound waste
12 management disposal schemes;

13 (d) Prevent vandalism in the facilities of the Eco-Park; and

14 (e) Encourage the use of local produce and services, and support the employment
15 of local people.

16 **SEC. 8. *Role of the DOT.*** – The DOT shall assist the municipal government of Kalibo
17 in the implementation of the tourism development plan by providing technical assistance in
18 tourism capacity building. It shall also include the Bakhawan Eco-Park in its national and
19 regional promotion programs.

20 **SEC. 9. *Coordination with National Agencies.*** – The municipal government of Kalibo
21 shall likewise coordinate with the regional offices of DENR, Department of Labor and
22 Employment, Department of Public Works and Highways, Department of Transportation,
23 Department of Agriculture, Department of Education, Department of Trade and Industry,
24 Department of Interior and Local Government, Philippine National Police, Maritime

1 Industry Authority and other line agencies of the government in the implementation of this
2 Act.

3 **SEC. 10. *Appropriations.*** – The funding for the implementation of this Act shall be
4 included in the annual budget of the Municipality of Kalibo. The DOT may augment such
5 allocation with internally-generated funds.

6 **SEC. 11. *Implementing Rules and Regulations.*** – Within thirty (30) days from the
7 effectivity of this Act, the municipal government of Kalibo shall, in consultation with the
8 DOT, DENR and concerned agencies of the government, promulgate rules and regulations to
9 implement this Act.

10 **SEC. 12. *Separability Clause.*** – If, for any reason, any provision of this Act is
11 declared unconstitutional or invalid, other provisions hereof which are not affected thereby
12 shall continue to be in full force and effect.

13 **SEC. 13. *Repealing Clause.*** – All laws, decrees, executive orders, proclamation and
14 administrative regulations, or parts thereof inconsistent herewith are hereby repealed or
15 modified accordingly.

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

Approved,