

S. No. 3252
H. Nos. 3066, 3067, 3068, 3069,
3070 and 3071

Republic of the Philippines
Congress of the Philippines
Metro Manila

Fifteenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand twelve.



[REPUBLIC ACT NO. 10409]

AN ACT DECLARING THE PROVINCE OF BILIRAN AS A
TOURISM DEVELOPMENT AREA (TDA) AND
PROVIDING FUNDS THEREFOR

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

SECTION 1. *Title.* – This Act shall be known as “An Act
Declaring the Province of Biliran as a Tourism Development
Area (TDA)”.

SEC. 2. *Declaration of Policy.* – It is hereby declared
the policy of the State to promote a tourism industry that is
ecologically sustainable, responsible, participative, culturally
sensitive, economically viable and equitable for local

communities. In so doing, the State shall ensure the full implementation of this Act, support the establishment of Tourism Enterprise Zones (TEZ) and the mobilization of resources for the institutional mechanisms herein established to attract and focus investment on specific geographic areas within the TDA.

SEC. 3. *Scope and Coverage.* – The TDAs in Biliran hereby include, but not limited to, the following municipalities endowed with natural beauty and historic significance:

The Higatangan Island, herein, within the Municipality of Naval in the Province of Biliran, with coordinates beginning at a point marked cor “1” northing 1280743 and easting 636564 and ending at a point marked cor “90” northing 1280647 and easting 636599 covers an area of 487.46 hectares.

The Sambawan Island, herein, within the Municipality of Maripipi in the Province of Biliran, with coordinates beginning at a point marked cor “1” northing 1300284 and easting 637845.3 and ending at a point marked cor “8” northing 1300269 and easting 637830 covers an area of 1.4 hectares.

The Mangrove Area of Looc known as the Cabucgayan Boardwalk, herein, within the Municipality of Cabucgayan in the Province of Biliran, with coordinates beginning at a point marked cor “1” northing 1269357 and easting 668319 and ending at a point marked cor “7” northing 1269263 and easting 668235.5 covers an area of 4.73 hectares.

The Casabangan Falls, herein, within the Municipality of Cabucgayan in the Province of Biliran, with coordinates beginning at a point marked cor “1” northing 1270896 and easting 666847.9 and ending at a point marked cor “9” northing 1270897 and easting 666830.0 covers an area of 0.18 hectares.

The Tinago Falls, herein, within the Municipality of Caibiran in the Province of Biliran, with coordinates beginning at a point marked cor “1” northing 1280986 and

easting 666353.4 and ending at a point marked cor "8" northing 1280947 and easting 666408 covers an area of 0.46 hectares.

The Bagongbong Falls, herein, within the Municipality of Almeria in the Province of Biliran, with coordinates beginning at a point marked cor "1" northing 1286258 and easting 652825.8 and ending at a point marked cor "8" northing 1286240 and easting 652815.6 covers an area of 0.21 hectares.

The technical descriptions provided in this Act will be subject to ground survey and verification to be conducted by the Department of Environment and Natural Resources-NAMRIA.

SEC. 4. *Tourism Development Plan of Biliran.* - The Tourism Development Plan of the Province of Biliran shall be incorporated in the Department of Tourism's (DOT) overall National Tourism Development Plan (NTDP) and be jointly implemented with the Local Government and Provincial Tourism Council of Biliran taking into consideration Republic Act No. 7586, otherwise known as "National Integrated Protected Areas System Act of 1992", and its implementing rules and regulations.

SEC. 5. *Biliran Tourism Development Trust Fund.* - There is hereby established a trust fund under this Act to be known as the Biliran Tourism Development Trust Fund for purposes of financing projects which shall enhance tourism in the Province of Biliran. The Trust Fund shall be administered by a Trust Fund Administrator under the Provincial Tourism Council of Biliran. Income shall be derived from fees from visitors/tourists, fees from permitted sale and export of flora and fauna and other resources from the province, proceeds from the registration and lease of multiple-use areas, including tourism concessions, fees, proceeds, and contributions from industries and facilities directly benefiting the province.

The Trust Fund may be augmented by grants and donations, endowment from various sources, domestic or foreign entities and individuals, for purposes related to their functions: *Provided*, That disbursements therefrom shall be in accordance

with existing accounting and auditing rules and regulations: *Provided, further,* That the Trust Fund shall not be used to cover personal services expenditures.

SEC. 6. *Implementing Rules and Regulations.* – The Secretary of the DOT together with the Secretary of the Department of Environment and Natural Resources (DENR) in consultation with the stakeholders shall promulgate the necessary rules and regulations for the proper implementation of this Act.

SEC. 7. *Appropriations.* – The Secretary of the DOT and the Secretary of the DENR shall immediately include in the DOT and the DENR's program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act.

SEC. 8. *Repealing Clause.* – The provision of Proclamation No. 1801, VIII(2) inconsistent with the provision of this Act is hereby amended accordingly.

SEC. 9. *Separability Clause.* – If any part or section of this Act is declared unconstitutional, any other provisions not otherwise affected thereby shall remain in full force and effect.

SEC. 10. *Effectivity Clause.* – This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in a national newspaper of general circulation.

Approved,



FELICIANO BELMONTE JR.


*Speaker of the House
of Representatives*



JUAN PONCE ENRILE


President of the Senate

This Act which is a consolidation of Senate Bill No. 3252 and House Bill Nos. 3066, 3067, 3068, 3069, 3070 and 3071 was finally passed by the Senate and the House of Representatives on November 5, 2012 and January 21, 2013, respectively.


MARILYN B. BARJA-YAP
Secretary General
House of Representatives


EMMA LIRIO-REYES
Secretary of the Senate

Approved: **MAR 19 2013**


BENIGNO S. AQUINO III
President of the Philippines



O



Office of the President of the Philippines



PNOY009556