

An Act Declaring the Province of Batanes as a Responsible, Community-Based Cultural Heritage and Ecotourism Zone

Republic Act No. 10866

Congress of the Philippines

23 June 2016

H. No. 6152

Republic of the Philippines
Congress of the Philippines
Metro Manila

Sixteenth Congress
Third Regular Session

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

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 the “Batanes Responsible Tourism Act”.

SECTION 2. Declaration of Policy.— The State recognizes, respects, and protects the rights of indigenous cultural communities to preserve and develop their cultures, traditions, and institutions, and considers these rights in the formulation of national plans and policies.

The State is further mandated to promote a tourism industry that is ecologically sustainable, responsible, participative, culturally sensitive, economically viable and

equitable for local communities. Towards this end, the Province of Batanes is hereby declared a cultural heritage and ecotourism zone. It shall be accorded priority development by the Department of Tourism (DOT) and shall be subject to the rules and regulations governing the development of cultural heritage and ecotourism zones. The promotion of the following inherent values and characteristics which influence the uniqueness of the Ivatan culture and the beauty of the islands of Batanes shall be pursued in the development and management of the tourism industry in the Province: (a) the integrity of its ecology and environment; (b) the richness of its natural and cultural heritage; and (c) the resilience of its indigenous social institutions.

SECTION 3. Objectives.— Pursuant to the above declaration of policy, the State shall endeavor to accomplish the following objectives:

(a) Develop and promote responsible, community-based ecological-cultural tourism as the core management strategy in the development and growth of Batanes;

(b) Ensure the conservation of the biodiversity and the preservation of the unique heritage and culture of the Province;

(c) Develop tourism products and programs that will generate employment and livelihood for the local residents consistent with the preservation and maintenance of local heritage and culture;

(d) Guarantee that the financial and economic benefits of the tourism industry are equitably shared by, and distributed among, the Ivatans and local residents by giving preference and support to community- and home-based tourism enterprises, such as micro and small businesses like local inns,, lodges, and homestays, restaurants, food and fruit stands, arts and craft shops, and similar tourism-oriented industries and businesses;

(e) Ensure that the quality of local tourism programs and activities are educational and enriching for tourists and visitors through the provision of orientation, educational and tour programs by local tour operators, nongovernment organizations (NGOs), local government units (LGUs) and the DOT; and

(f) Guarantee that in the development and promotion of the local tourism industry, the LGUs shall ensure that the needs of local residents and communities in the areas of water supply, food, energy and local construction materials are first secured and met.

SECTION 4. *Definition of Terms.*— As used in this Act:

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

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

(c) *Cultural property* refers to all products of human creativity by which a people and a nation reveal their identity, including churches, mosques and other places of religious worship, schools and natural history specimens and sites, whether public or privately owned, movable or immovable, and tangible or intangible;

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

(e) *Homestay* refers to a system of tourist accommodation where a tourist stays with local residents and experience the day-to-day life of Ivatans and their communities;

(f) *Indigenous social institutions* refer to the institutions that embody the unique community orientation and cooperation pervasive in the way of life of the Ivatans. This includes the indigenous cooperative institutions in house construction, boat building and fishing, agricultural cultivation, wake and burial practices, and public infrastructure construction;

(g) *Ivatan natural and cultural heritage* refers to the landscapes, seascapes, historic places, sites and built environments of the Province precisely delineated because of their outstanding value from the point of view of science, conservation, natural beauty, as well as biodiversity; and includes past and continuing cultural practices, knowledge and living

experiences of the Ivatans that are important foundations for the development of present and future generations;

(h) *Landscapes* refer to historic, cultural, symbolic vistas and sight corridors of cultural sites, inclusive of fixed or immovable structures and configuration of structures with established relationship with each other;

(i) *Responsible ecotourism* refers to a form of sustainable tourism in which both the tourism sector and the tourists take responsibility in the protection, respect, and conservation of the natural environment and the local culture and ways of life, and where community participation as well as economic benefits are fostered and pursued for the well-being of the local people and satisfaction of visitors; and

(j) *Sustainable tourism development* refers to the management of all resources in a way that simultaneously meets the needs of tourists and host regions; protects the opportunities for the future; fulfills the economic, social, and aesthetic needs; and preserves cultural integrity, essential ecological processes, biological diversity and a system that supports and perpetuates life.

SECTION 5. *Scope and Coverage.*— This Act shall cover the same boundaries as provided in Section 3 of Republic Act No. 8991, otherwise known as the “Batanes Protected Area Act of 2000”.

SECTION 6. *Provincial Tourism Development Plan.*— The DOT, in coordination with the Department of Environment and Natural Resources (DENR), the National Commission on Indigenous Peoples (NCIP), and the National Commission for Culture and the Arts (NCCA), shall assist the Province of Batanes in the formulation of the Provincial Tourism Development Plan that shall be complemented by a set of guidelines and standards for a responsible, community-based ecotourism. The tourism development plan shall ensure the preservation of the natural sites, the cultural and historic significance of identified tourist attractions, and respect for Ivatan culture and traditions, and shall include the following components:

(a) Carrying capacity of sites;

(b) Specific site assessments;

- (c) Identification of strategic priorities;
- (d) Product development for local income generation;
- (e) Capacity-building for local communities so residents therein can ably manage economically viable and responsible, community-based ecotourism business enterprises;
- (f) Support for the formation of local production groups and networks, including the marketing and pricing of products; and
- (g) Marketing strategies that reflect the natural, cultural, social and environmental integrity of Batanes.

The process of developing the Tourism Master Plan shall be participatory, from the bottom up, with the framework provided by the DOT, the DENR, the NCIP, and the NCCA, in consultation with the provincial and municipal governments.

SECTION 7. *Formulation of Guidelines and Standards.*— The concerned Protected Area Management Board of the DENR, the NCIP, and the local tourism council, in coordination with the LGUs, shall assist in the formulation of local tourism standards in the context of environmental stability, as well as recommend guidelines to ensure that biodiversity conservation and environmental protection are integrated in the development of heritage and ecotourism plans. The guidelines and standards shall:

- (a) Raise the capacity of all stakeholders and ensure that best practices are followed;
- (b) Ensure optimal use of water and energy;
- (c) Reduce waste and pollution through the encouragement of recycling and environmentally-sound waste management disposal schemes, with a principle of taking as much waste away from the site as possible; and
- (d) Encourage the use of local produce and services, and support the employment of local people.

SECTION 8. *Coordination with National Agencies.*— The DOT shall closely coordinate with the provincial and municipal governments of the Province of Batanes, as well as with

the regional and provincial offices of all relevant national government agencies, such as the DENR, the NCIP, the NCCA, the National Historical Commission, the National Museum, the Department of Labor and Employment (DOLE), the Department of Public Works and Highways (DPWH), the Department of Transportation and Communications (DOTC), the Department of Agriculture (DA), the Department of Science and Technology (DOST), the Department of Education (DepED), the Department of Trade and Industry (DTI), the Department of the Interior and Local Government (DILG), the Philippine National Police (PNP), the Maritime Industry Authority (MARINA), and the Philippine Ports Authority (PPA) in the implementation of this Act.

SECTION 9. *Implementing Rules and Regulations.*— The DOT, the DENR, the NCIP, and the NCCA, in consultation with the provincial and municipal governments of Batanes, concerned government agencies, and stakeholders, shall, within sixty (60) days from the effectivity of this Act, promulgate the necessary rules and regulations for the proper implementation of this Act.

SECTION 10. *Separability Clause.*— In the event that any provision of this Act or part hereof is declared unconstitutional or invalid, the other provisions not affected thereby shall remain in force and effect.

SECTION 11. *Repealing Clause.*— All laws, decrees, executive orders, presidential issuances and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended or modified accordingly.

SECTION 12. *Effectivity.*— This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.

Approved,

(Sgd)

FRANKLIN M. DRILON

President of the Senate

(Sgd)

FELICIANO BELMONTE JR.

Speaker of the House of Representatives

This Act which originated in the House of Representatives was passed by the House of Representatives on October 9, 2015, amended by the Senate on May 23, 2016, and which amendment was concurred in by the House of Representatives on May 23, 2016.

(Sgd)

OSCAR G. YABES

Secretary of the Senate

(Sgd)

MARILYN B. BARUA-YAP

Secretary General

House of Representatives

(Sgd)

BENIGNO S. AQUINO III
President of the Philippines

Approved: June 23, 2016.