AN ACT
DECLARING THE BAKHAWAN ECO-PARK IN BARANGAY NEW BUSWANG, MUNICIPALITY OF KALIBO, PROVINCE OF AKLAN, AN ECOTOURISM ZONE AND APPROPRIATING FUNDS THEREFOR

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

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

Sec. 2. Bakhawan Eco-Park Ecotourism Zone. – The Bakhawan Eco-Park in Barangay New Buswang, Municipality of Kalibo, Province of Aklan is hereby declared a community-based ecotourism zone. As such, its development shall be prioritized by the Department of Tourism (DOT), subject to the rules and regulations governing the development of ecotourism zones.

Sec. 3. Scope and Coverage. - This Act shall cover the boundaries of the 220-hectare mangrove forest of the Bakhawan Eco-Park, Barangay New Buswang, Municipality of Kalibo, Province of Aklan.
The setting of technical boundaries of the ecotourism zone shall be undertaken by the Department of Environment and Natural Resources (DENR) and other concerned agencies.

Sec. 4. Definition of Terms. – As used in this Act:

a) *Biodiversity conservation* refers to the practice of preserving the variety of species, habits 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 portion of the economic gains remain within the community;

c) *Ecotourism* refers to a form of sustainable tourism within a natural 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;

d) *Homestay* refers to a system of tourist accommodation where a tourist stays with local residents and experiences the day-to-day life of the residents of the Bakhawan Eco-Park community, Barangay New Buswang and the Municipality of Kalibo; and

e) *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 in Barangay New
Buswang and visitors.

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

(a) develop and promote responsible “community-based ecological tourism” as
the core management strategy in the development of the Bakhawan Eco-Park;

(b) ensure the conservation of the biodiversity and the preservation of said Eco-
Park;

(c) develop tourism products and programs that shall generate employment and
livelihood for the local residents and non-governmental organizations (NGOs)
concerned, consistent with the preservation and maintenance of the mangrove
forest;

(d) guarantee that the financial and economic benefits of the tourism industry are
equitably shared by and distributed among the local residents and NGOs
concerned, by giving preference and support to community- and home-based
micro and small tourism enterprises, such as local inns, lodges and homestays,
restaurants, food and fruit stands, and other 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, NGOs, the municipal
government of Kalibo and the DOT; and

(f) guarantee that, in the development and promotion of the local tourism
industry, the municipal government of Kalibo ensures the adequate provision
of water, food, energy, and local construction materials to residents.
Sec. 6. *Tourism Development Plan for the Bakhawan Eco-Park.* - The DOT, in coordination with the DENR, shall assist the municipal government of Kalibo in the formulation of a Tourism Development Plan for the Bakhawan Eco-Park that shall be complemented by a set of guidelines for a responsible, community-based ecotourism.

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

(a) Determination and description of the carrying capacity of the Eco-Park;

(b) Specific site assessment;

(c) Identification of strategic priorities;

(d) Product development plans for local income generation;

(e) Capacity-building for the local community so residents therein can ably manage economically viable and responsible, community-based ecotourism business enterprises;

(f) Strategies to promote the formulation of local production groups and networks, including the marketing and pricing of products; and

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

The process of formulating the Tourism Development Plan for the Bakhawan Eco-Park shall be participatory, with the framework to be provided by the DOT and the DENR, in consultation with the local governments of the Municipality of Kalibo and Barangay New Buswang.

Sec. 7. *Formulation of Guidelines and Standards.* - The concerned Protected Area Management Board of the DENR and the local tourism council, in coordination with the local governments of the Municipality of Kalibo and Barangay New Buswang, shall assist in the
formulation of local tourism standards, ensuring that environmental protection is integrated in the development of ecotourism plans.

These local tourism standards shall:

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

(b) ensure optional use of water and energy;

(c) reduce waste and pollution through environmentally-sound waste management disposal schemes;

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

(e) encourage the use of local produce and services, and support the employment of local people.

Sec. 8. Coordination with National Agencies.- The DOT shall closely coordinate with the municipal government of Kalibo, as well as the regional offices of the DENR, the Department of Labor and Employment, the Department of Public Works and Highways, the Department of Transportation, the Department of Agriculture, the Department of Education, the Department of Trade and Industry, the Department of Interior and Local Government, the Philippine National Police, the Maritime Industry Authority, and other line agencies of the government in the implementation of this Act.

Sec. 9. Appropriations. – The Secretary of the DOT shall include in the Department’s program the implementation of this Act, the funding of which shall be included in the annual General Appropriations Act and from internally generated funds of the DOT.

Sec. 10. Implementing Rules and Regulations. - Within thirty (30) days from the effectivity of this Act, the DOT, the DENR, in consultation with the municipal government of Kalibo and other concerned government agencies and stakeholders, shall promulgate the necessary rules and regulations for the proper implementation of this Act.
Sec. 11. Separability Clause. – If, for any reason, any provision of this Act is declared unconstitutional or invalid, other provisions hereof which are not affected thereby shall continue to be in full force and effect.

Sec. 12. Repealing Clause. – All laws, decrees, executive orders, proclamation and administrative regulations, or parts thereof inconsistent herewith are hereby repealed or modified accordingly.

Sec. 13. Effectivity. – This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,