Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

18TH CONGRESS
Second Regular Session

HOUSE BILL NO. 7740

Introduced by Representative CARLITO S. MARQUEZ

EXPLANATORY NOTE

This refiled bill seeks to reclassify certain portions of forestlands consisting of six (6) parcels of land with a total land area of eleven (11) hectares, located in the Municipality of Malay, Province of Aklan, as alienable and disposable land.

The proposed measure was approved and passed by the House of Representatives on Third and Final Reading both in the 16th and 17th Congress. In the 17th Congress, this was approved on Third and Final Reading on May 22, 2018, was transmitted to the Senate and was received by the same on May 23, 2018.

Pursuant to Proclamation No. 1064, s. 2006, Boracay Island situated in the aforementioned municipality has been classified into four hundred (400) hectares of reserved forest land (protection purposes) and six hundred twenty-eight and 96/100 (628.96) hectares of agricultural land (alienable and disposable). The same has also been backed by the Supreme Court since 2008.

The parcels of land being applied for reclassification, based on actual ground survey and delineation as mandated by Proclamation 1064, have been openly and continuously inhabited and/or occupied for a long period of time.
prior to the issuance of said Proclamation and has been identified to be more suitable for commercial and residential purposes owing to the fast development paced of the Municipality of Malay in the Province of Aklan. Although the area now serves as tourist destinations, there is a need to address the settlement problem of inhabitants since the areas has become densely populated. Thus, the reclassification of these lands from the protected area to alienable and disposable land is hereby enjoined.

Immediate passage of this proposed measure is earnestly sought.

ENGR. CARLITO “Lito” S. MARQUEZ
Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City, Metro Manila  

18TH CONGRESS  
Second Regular Session  

HOUSE BILL NO. 7748  

Introduced by Representative CARLITO S. MARQUEZ  

AN ACT  
DECLARING AS AGRICULTURAL LAND PORTIONS OF FORESTLAND LOCATED IN BARANGAY MANOC-MANOC, MUNICIPALITY OF MALAY, PROVINCE OF AKLAN, AMENDING FOR THE PURPOSE PROCLAMATION NO. 1064, ENTITLED “CLASSIFYING BORACAY ISLAND SITUATED IN THE MUNICIPALITY OF MALAY, PROVINCE OF AKLAN INTO FORESTLAND (PROTECTION PURPOSES) AND INTO AGRICULTURAL LAND (ALIENABLE AND DISPOSABLE) PURSUANT TO THE PRESIDENTIAL DECREE NO. 705 (REVISED FORESTRY REFORM CODE OF THE PHILIPPINES)  

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

SECTION 1. The parcels of land of the public domain located in Barangay  
Manoc-Manoc in the Municipality of Malay, Province of Aklan are hereby declared as  
agricultural land for residential, commercial and other purposes and as forestland for  
protection purposes. Said parcels of land are more particularly described as follows:  

BLOCK A  
(Agricultural Land – A & D)  
Beginning at a point marked “1” being S 30°39’ E, 3.221.05 m. from AKN – 36  
= BLLM No. 13 CAD 704-D, Malay Cadastre (PRS ’92 Control Point) (11-58-  
9.30079/121-55-7.86541), Barangay Balabag, Malay to corner 1, Barangay Balabag  
(Boracay Island), Malay, Province of Aklan.  

thence 1 – 2 S 02°01’ W  111.36 meters
thence 12 2 - 3  S 02°08' W  154.69 meters
thence 13 3 - 4  S 25°33' E  24.84 meters
thence 14 4 - 5  S 52°20' W  49.29 meters
thence 15 5 - 6  S 33°04' W  7.11 meters
thence 16 6 - 7  N 79°10' W  11.83 meters
thence 17 7 - 8  N 86°30' W  92.76 meters
thence 18 8 - 9  S 61°13' W  36.60 meters
thence 19 9 - 10  N 15°44' E  34.08 meters
thence 20 10 - 11  N 28°29' W  78.18 meters
thence 21 11 - 12  N 06°03' W  49.70 meters
thence 22 12 - 13  N 19°39' W  81.52 meters
thence 23 13 - 14  N 21°45' W  54.19 meters
thence 24 14 - 15  N 06°23' W  54.98 meters
thence 25 15 - 16  N 14°44' W  107.00 meters
thence 26 16 - 17  N 15°00' W  20.42 meters
thence 27 17 - 18  S 74°25' E  162.96 meters
thence 28 18 - 19  S 62°10' E  90.81 meters
thence 29 19 - 1  S 63°27' E  68.39 meters

containing an area of eight and 872/1000 (8.872) hectares, more or less.

**BLOCK B**

Remaining Portion of Block – J, Forestland

(Protection Purposes)

Beginning at a point marked “1” being S 28°14' E, 3,476.64 m. from AKN – 36 = BLLM

No. 13 CAD 704-D, Malay Cadastre (PRS ’92 Control Point)(11-58-9.30079/121-55-7.86541), Barangay Balabag, Malay to corner 1, Barangay Balabag (Boracay Island),

Malay, Province of Aklan.
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<td>4–5</td>
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<td>5–6</td>
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<td>45</td>
<td>8–9</td>
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<td>46</td>
<td>9–10</td>
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<td>10–11</td>
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thence 27 – 28 S 06°23’ E 54.98 meters
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thence 36 – 37 N 33°04’ E 7.11 meters
thence 37 – 1 N 52°20’ E 49.29 meters

containing an area of two and 362/1000 (2.362) hectares, more or less.

SEC. 2. Upon effectiveness of this Act, the Department of Environment and Natural Resources (DENR) shall alienate the parcels of land identified in Block A Section 1 hereof through the issuance of a free patent or original certificate of title: Provided, That the individual applicants can establish proof of ownership, acquisition or any other means through their predecessors-in-interest who for at least thirty (30) years prior to the effectiveness of this Act have continuously occupied, acquired and/or cultivated such parcels of land either by themselves or through their predecessors-in-interest or have paid the real estate tax thereon. Such qualified persons shall be entitled under this Act to be issued a free patent or original certificate of title, as may be applicable, for such tract of land not to exceed twelve (12) hectares per applicant.

SEC. 3. All existing roads, trails and pathways and a twelve (12) meter buffer zone on each side of the centerline of roads and trails which are reserved for right-of-way shall form part of the area reserved for forestland protection purposes.
SEC. 4. Implementing Rules and Regulations. – Within sixty (60) days, from the effectivity of this Act, the DENR shall issue the necessary rules and regulations for its implementation.

SEC. 5. Separability Clause. – If any provision or part of this Act is declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining provisions of this Act.

SEC. 6. Repealing Clause. – Proclamation No. 1064, S. 2006 is hereby amended. All other laws, decrees, letters of instruction, executive orders, rules and regulations and other issuances or parts thereof inconsistent with this Act are hereby repealed or modified accordingly.

SEC. 7. Effectivity. This Act shall take effect fifteen (15) days after its publication in the Official Gazette or in a newspaper of general circulation.

Approved,