

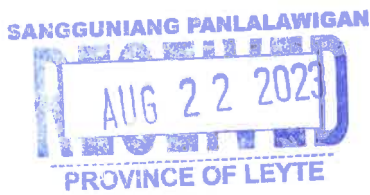
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PROVINCE OF LEYTE
Palo, Leyte

Item No.: 17

Date: SEP 05 2023

PROVINCIAL LEGAL OFFICE



2nd INDORSEMENT
August 18, 2023



Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 2023-03, S. 2023 of the Sangguniang Bayan of Tabango, Leyte, recommending for the declaration of its validity, pursuant to its power under Section 56 (C) of R.A. 7160, the same being to the opinion of the Provincial Legal Office, an exercise of the power authorized under Section 447(1)(vi) of the Code, in relation with Section 447(3)(i)(ii) thereof.

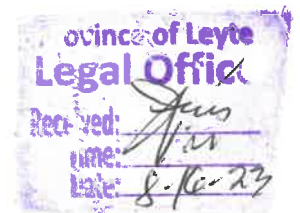
ATTY. JOSE RAYMUND A. ACOL
Asst. Provincial Legal Officer



Republic of the Philippines
PROVINCE OF LEYTE
PALO, LEYTE

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

1ST INDORSEMENT
16 August 2023



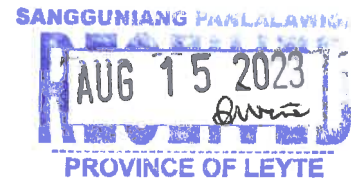
The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **MUNICIPAL ORDINANCE NO. 2023-03** of the **MUNICIPALITY** of **TABANGO, LEYTE**, entitled: *An Ordinance Providing Guidelines, Fees, Penalties For The Management, Protection, And Promotion of Kimod Shoal In Brgy. Tugas, Tabango, Leyte And Other Purposes.*


FLORINDA JILLS. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-o-o-
SANGGUNIANG BAYAN

August 14, 2023



HON. LEONARDO M. JAVIER, JR.
Provincial Vice Governor/Presiding Officer, and
The Honorable Members
Sangguniang Panlalawigan
Province of Leyte,
Tacloban City
Thru: Florinda Jill S. Uyvico
SP Secretary

Honorable Ladies/Gentlemen:

Respectfully transmitted herewith for review the following duly approved Ordinances, to wit:

- 1) **Municipal Ordinance No. 2023-03**, entitled: "AN ORDINANCE PROVIDING GUIDELINES, FEES, PENALTIES FOR THE MANAGEMENT, PROTECTION, AND PROMOTION OF KIMOD SHOAL IN BRGY. TUGAS, TABANGO, LEYTE AND OTHER PURPOSES."
- 2) Municipal Ordinance No. 2023-04, entitled: "AN ORDINANCE PROVIDING GUIDELINES ON THE UTILIZATION OF EMERGENCY TRANSPORT VEHICLES/RESCUE VEHICLES OF THE LOCAL GOVERNMENT UNIT OF TABANGO, LEYTE, PROVIDING FEES THEREOF AND FOR OTHER PURPOSES."

Please acknowledged receipt hereof.

Very truly yours,


VALENTINO A. CODERA
Secretary to the Sangguniang Bayan



Republic of the Philippines
 Province of Leyte
 Municipality of Tabango
 -oOo-
SANGGUNIANG BAYAN



BERNARD JONATHAN M. REMANDABAN
 Municipal Mayor

EXCERPT FROM THE MINUTES OF THE 51st REGULAR SESSION OF THE SANGGUNIANG BAYAN OF TABANGO (2022-2025) HELD AT THE SB SESSION HALL, MUNICIPALITY OF TABANGO, PROVINCE OF LEYTE ON JULY 17, 2023.

HON. ROSLIE E. OMEGA, M.D.
 Municipal Vice Mayor
 Presiding Officer

MUNICIPAL ORDINANCE NO. 2023 - 03
 Series of 2023
 Sponsored by Hon. Rubilita A. Dela Cruz

HON. JOSE WELSON G. VOSOTROS
 SB Member
 Floor Leader
 Temporary Presiding Officer

AN ORDINANCE PROVIDING GUIDELINES, FEES, PENALTIES FOR THE MANAGEMENT, PROTECTION, AND PROMOTION OF KIMOD SHOAL IN BRGY. TUGAS, TABANGO, LEYTE AND OTHER PURPOSES.

HON. RICHARD V. MERONTOS
 SB Member/Deputy Floor Leader

WHEREAS, every local government unit is mandated to ensure and support, among other things, the preservation and enrichment of culture, promote health and safety, enhance the right of people to a balanced ecology, encourage and support the development of appropriate and self-reliant scientific and technological capabilities, improve public morals, enhance economic prosperity and social justice, promote full employment among their residents, maintain peace and order and preserve the comfort and convenience of their inhabitants. (Section 16 of 7160);

HON. LUIS GABRIEL U. VELOSO
 SB Member

WHEREAS, the state declares tourism as an indispensable element of the national economy and an industry of national interest and importance, which must be harnessed as an engine of employment, and to continue to mold and enhance the sense of national pride for all Filipinos per RA 9593;

HON. JOEL ERME E. ROBLES
 SB Member

HON. KIRSTY V. JABONETE
 SB Member

WHEREAS, the state also declares to ensure the rational and sustainable development management and conservation of fishery and aquatic resources in Philippine waters including the Exclusive Economic Zone (EEZ) and in adjacent high seas, consistent with the primordial objective of maintaining a sound ecological balance, protecting and enhancing the quality of the environment per RA 10654;

HON. HERBERT V. MANRIQUEZ
 SB Member

HON. WILLY D. BARING
 SB Member

WHEREAS, the Municipality of Tabango is blessed with a diving spot known all over the world because of the diverse marine species present in the area, the Kimod Shoal in Brgy. Tugas, Tabango, Leyte;

HON. RICHE O. OCUBILLO
 SB Member

WHEREAS, to maintain and ensure the protection for tourism promotions, it is imperative to legislate the guidelines including fees and penalties for the welfare of the general public and beneficial for the local government in protecting and preserving local tourism destination.

HON. RUBILITA A. DELA CRUZ
 Ex-Officio SB Member
 President, Liga ng mga Barangay

NOW, THEREFORE, BE IT ORDAINED BY THE SANGGUNIANG BAYAN, IN SESSION DULY ASSEMBLED THAT:

(ABSENT)
HON. FORTUNE FRAULINE M. UY
 Ex-Officio SB Member
 President, Pambayang Pederasyon ng mga SK

SECTION 1. TITLE. The Ordinance shall be known as "KIMOD SHOAL ORDINANCE OF 2023."

VALENTINO A. CODERA
 Secretary to the Sanggunian


SECTION 2. DECLARATION OF POLICY. It is hereby declared that the Kimod Shoal in Brgy, Tugas, Tabango, Leyte is a dedicated marine wildlife interaction site as one of


the tourist destinations in the Municipality of Tabango, Leyte that needs to be protected and preserved.

SECTION 3. GUIDELINES FOR ITS PROTECTION. The following guidelines shall be imposed in order to protect and preserve the Kimod Shoal:

- A. Fishing activities are allowed within a 2 km radius but are limited only to pole and line fishing (pasol/undak).
- B. The Kimod Shoal shall have a carrying capacity of 80 persons or divers at a time.
- C. Strictly no bringing and drinking of alcoholic beverages within the premises of the diving spot.
- D. LITTERING within the premises of the Kimod Shoal is strictly PROHIBITED.
- E. The Bantay Dagat under the Municipal Agriculture Office (MAO), the Bantay Dagat of different coastal barangays, and the EMB shall conduct mandatory patrol at least twice a week or as the need arises.
- F. Trained divers from the Municipal Environment and Natural Resources Office (MENRO) shall conduct quarterly dive or as the need arises inspect the diving area for any possible damage to the coral reef, the presence of the species in the area, and any littering instances.


BERNARD JONATHAN M. REMANDABAN
Municipal Mayor


HON. ROSLIE E. OMEGA, M.D.
Municipal Vice Mayor
Presiding Officer


HON. JOSE WELSON G. VOSOTROS
SB Member
Floor Leader
Temporary Presiding Officer


HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader


HON. LUIS GABRIEL U. VELOSO
SB Member



HON. JOEL ERME E. ROBLES
SB Member


HON. KIRSTY V. JABONETE
SB Member

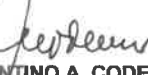

HON. HERBERT V. MANRIQUEZ
SB Member


HON. WILLY D. BARING
SB Member


HON. RICHE O. OCUBILLO
SB Member


HON. RUBLITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay

(ABSENT)
HON. FORTUNE FRAULINE M. UY
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK


VALENTINO A. CODERA
Secretary to the Sanggunian

SECTION 4. CONDUCT OF INFORMATION CAMPAIGN. Fisherfolks, guests/divers, diving operators, barangay officials, and neighboring municipalities shall be informed of these regulations through a massive information campaign to be conducted by the joined efforts of the Municipal Agriculture Office and Municipal Environment and Natural Resources Office.

SECTION 5. FEES. A Fifty Pesos (Php 50.00) Environmental Fee shall be collected for every diver per day to be used for the management, preservation, and protection of Kimod Shoal.

SECTION 6. COLLECTION. The Local Government Unit through its Municipal Treasury Office shall assign personnel/s in charge for the collection of environmental fees.

SECTION 7. IMPLEMENTING OFFICES. The management, protection, and preservation of Kimod Shoal shall be joined by the efforts of the Municipal Agriculture Office (MAO) and Municipal Environment and Natural Resources Office (MENRO).

SECTION 8. FUNDING. The fund necessary for the implementation of this ordinance shall be incorporated in the annual appropriation of the Municipality of Tabango, Leyte under the Municipal Environment and Natural Resources Office (MENRO).

SECTION 9. PENAL CLAUSE. Violation of the guidelines mentioned in Section 3 of this Ordinance shall impose the following penalties:

First Offense	Php 2,500.00
Second Offense	Php 2,500.00 plus 3 months imprisonment or both at the discretion of the court
Third Offense	Php 2,500.00 plus 6 months imprisonment or both at the discretion of the court

Note: Refer to the Municipal Fishery Ordinance

SECTION 10. SEPARABILITY CLAUSE. If, for any reason, any part or provision of this Ordinance shall be found to be unconstitutional or invalid, other parts or provisions thereof which are not affected thereby, shall continue to be in full force and effect.

SECTION 11. REPEALING CLAUSE. All ordinances, rules, and regulations, or part or provision thereof, in conflict with, or inconsistent with the provisions of this ordinance are hereby repealed or modified accordingly.

SECTION 12. EFFECTIVITY CLAUSE. This Ordinance shall take effect pursuant to the provisions of the Local Government Code of 1991.

ENACTED by the Sangguniang Bayan of Tabango, Leyte this 51st day of July 2023 with the following votes:

YES – 9 NO – 0


HON. JOSE WILSON G. VOSOTROS
SB Member/Floor Leader

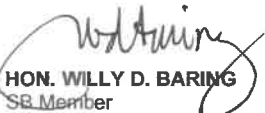

HON. RICHARD V. MERONTOS
SB Member/Deputy Floor Leader


HON. LUIS GABRIEL U. VELOSO
SB Member


HON. JOEL ERME E. ROBLES
SB Member


HON. KIRSTY V. JABONETE
SB Member


HON. HERBERT V. MANRIQUEZ
SB Member

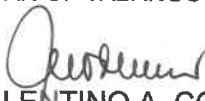

HON. WILLY D. BARING
SB Member


HON. RICHE O. OCUB ILLO
SB Member



HON. RUELITA A. DELA CRUZ
Ex-Officio SB Member
President, Liga ng mga Barangay

(ABSENT)
HON. FORTUNE FRAULINE M. UY
Ex-Officio SB Member
President, Pambayang
Pederasyon ng mga SK

I HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE COPY OF THE ORDINANCE DULY ENACTED BY THE SANGGUNIANG BAYAN OF TABANGO ON JULY 17, 2023.


VALENTINO A. CODERA
Secretary to the Sangguniang Bayan

ATTESTED AND CERTIFIED AS DULY ENACTED:


ROSLIE E. OMEGA, M.D.
Presiding Officer
Municipal Vice Mayor

APPROVED:


BERNARD JONATHAN M. REMANABAN
Municipal Mayor

14 AUG 2023

Date



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF TABANGO
-000-
OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

+6309088960539
vcodera@gmail.com

Certificate of POSTING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the following Ordinances were posted on the bulletin boards of the Municipal Hall, and Tabango Land Transport Terminal on August 15, 2023 and to be remain posted for three (3) consecutive weeks, to wit:


1) Municipal Ordinance No. 2023-03, entitled: "AN ORDINANCE PROVIDING GUIDELINES, FEES, PENALTIES FOR THE MANAGEMENT, PROTECTION, AND PROMOTION OF KIMOD SHOAL IN BRGY. TUGAS, TABANGO, LEYTE AND OTHER PURPOSES";

2) Municipal Ordinance No. 2023-04, entitled: "AN ORDINANCE PROVIDING GUIDELINES ON THE UTILIZATION OF EMERGENCY TRANSPORT VEHICLES/RESCUE VEHICLES OF THE LOCAL GOVERNMENT UNIT OF TABANGO, LEYTE, PROVIDING FEES THEREOF, AND FOR OTHER PURPOSES."

THIS CERTIFIES FURTHER that the above-mentioned Ordinances are yet to be posted on the bulleting boards of the different barangays of this municipality and publish in the newspaper of general circulation.

THIS CERTIFCATION is issued in compliance with Article 114 of the Implementing Rules and Regulations of R.A. 7160.

ISSUED this 14th day of August 2023 at the Municipality of Tabango, Province of Leyte.


VALENTINO A. CODERA
Secretary to the Sangguniang Bayan

ATTESTED BY:


ROSLIE E. OMEGA, M.D.
Presiding Officer



REPUBLIC OF THE PHILIPPINES
PROVINCE OF LEYTE
MUNICIPALITY OF TABANGO
-000-
OFFICE OF THE SANGGUNIANG BAYAN SECRETARY

+6309088960539
vcodera@gmail.com

CERTIFICATION

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that the following Ordinances have undergone a public hearing on July 4, 2023 and July 10, 2023, respectively, held at the SB Session Hall, Municipal Building, F. Pastor, Street, Poblacion, Tabango, Leyte, to wit:

1) Municipal Ordinance No. 2023-03, entitled: "AN ORDINANCE PROVIDING GUIDELINES, FEES, PENALTIES FOR THE MANAGEMENT, PROTECTION, AND PROMOTION OF KIMOD SHOAL IN BRGY. TUGAS, TABANGO, LEYTE AND OTHER PURPOSES";

2) Municipal Ordinance No. 2023-04, entitled: "AN ORDINANCE PROVIDING GUIDELINES ON THE UTILIZATION OF EMERGENCY TRANSPORT VEHICLES/RESCUE VEHICLES OF THE LOCAL GOVERNMENT UNIT OF TABANGO, LEYTE, PROVIDING FEES THEREOF, AND FOR OTHER PURPOSES."

THIS CERTIFICATION is issued in compliance with R.A. 7160, otherwise known as the Local Government Code of 1991.

ISSUED this 15th day of August 2023 at the Municipality of Tabango, Province of Leyte.

VALENTINO A. CODERA
Secretary to the Sangguniang Bayan

ATTESTED BY:

ROSLIE E. OMEGA, M.D.
Presiding Officer



Republic of the Philippines
Province of Leyte
Municipality of Tabango
-oOo-

SANGGUNIANG BAYAN

MINUTES OF THE PUBLIC HEARING CONDUCTED BY THE COMMITTEE ON ENVIRONMENTAL PROTECTION AND ECOLOGY AND COMMITTEE ON FINANCE, APPROPRIATION, WAYS & MEANS HELD AT THE SB SESSION HALL ON JULY 04, 2023.

Present:

Hon. Rubilita A. Dela Cruz	- Committee Chair/LIGA President
Hon. Richard V. Merontos	- Committee Chair/SB Member
Hon. Joel Erme E. Robles	- Committee Member/SB Member
Hon. Herbert V. Manriquez	- Committee Member/SB Member
Hon. Riche O. Ocuillo	- Committee Member/SB Member
Hon. Luis Gabriel U. Veloso	- Committee Member/ SB Member
Other attendees	- See attached Attendance sheet

Absent:

Hon. Willy D. Baring	- Committee Vice Chairman/SB Member
Hon. Jose Welson G. Vosotros	- Committee Member/SB Member

The public hearing started at around 10:00 in the morning with an invocation through multimedia.

Public Hearing Proper:

The subject proposed ordinance were presented by Hon. Rubilita A. Dela Cruz, the author of the said ordinance.

PROPOSED ORDINANCE ENTITLED " AN ORDINANCE PROVIDING GUIDELINES, FEES, PENALTIES FOR THE MANAGEMENT, PROTECTION AND PROMOTION OF KIMOD SHOAL IN BRGY. TUGAS, TABANGO, LEYTE AND OTHER PURPOSES.

Name/Address/Designation	Comments/Queries/Suggestions/Responses:
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none">● Suggested that the Bantay Dagat from the different coastal barangays will be included in the conduct of the mandatory patrol in the area.
Hon. Luis Gabriel U. Veloso Sb Member	<ul style="list-style-type: none">● Stated that based on their meeting conducted in Daan Bantayan, for the meantime they will provide their Bantay Dagat to secure the area as of the moment since we still don't have enough resources to do it.
Ron A. Costelo MENRO	<ul style="list-style-type: none">● Stated that the purpose of the said public hearing is to make our own ordinance and to exclude Daan Bantayan because the territory is ours and is within our municipal waters but there is a proposed Tripartite Agreement between the Municipality of Tabango together with the Malapascua Business Association (MBA) and the Local Government Unit of Daan Bantayan that is about the protection, conservation and management of the Kimod Shoal.● Also suggested to include the Bantay Dagat of the different coastal barangays of Tabango.

Romeo A. Segovia MAO	<ul style="list-style-type: none"> ● Suggested to included the MENRO in Section 3, Letter E that states The Bantay Dagat under Municipal Agriculture Office (MAO) shall conduct mandatory patrol in the area everyday.
Engr. Ver Philip C. Pelayo OIC-MPDC	<ul style="list-style-type: none"> ● Suggested to add the MENRO in Section 3, Letter E because in Section 3, Letter F indicates on the conduct of quarterly dive and to specify the MENRO in Section 3, Letter E and retain Section 3 Letter F if its okay.
Ariane Agustines Large Marine Vertebrates Research Institute of the Philippines (LAMAVE)	<ul style="list-style-type: none"> ● States that before the Treasher Sharks are in Monad Shoal and since last year it transferred in Kimod Shoal and becomes the cleaning station of the Treasher Sharks and they are also endangered species and is nationally protected here in the Philippines. ● She also states that the Kimod Shoal is one of the few places in the world that Treasher Sharks can be constantly seen. ● She cited that one of the major threats to Treasher Sharks is tourism and also the fisheries but the tourism coming from the Divers of Malapascua Island have the biggest impact in the presence of Treasher Sharks in the Kimod Shoal. ● Suggested to incorporate tourism regulation that manage the tourism of the Malapascua Divers going to Kimod Shoal because its their conduct might have the biggest impact and the Kimod Shoal is quite small and shallow.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● Read all the suggestions that was being noted by Ms. Ariana Agustines.
Misael V. Manriquez MTO	<ul style="list-style-type: none"> ● Commented on Section 3 Guidelines for its Protection Letter A that states " There shall be no illegal fishing activities with in the 2 km radius premises of the Kimod Shoal" to delete the word illegal
Teodoro C. Macorol Jr. EMB ENMO	<ul style="list-style-type: none"> ● Cited that in Section 3 Letter D that states " LITTERING with in the premises of the Kimod Shoal is strictly prohibited" and suggest to strictly implement the R.A 9003 Act of 2000 Section 48 paragraph 1 in order to protect the area of Kimod Shoal.
Ariane Agustines Large Marine Vertebrates Research Institute of the Philippines (LAMAVE)	<ul style="list-style-type: none"> ● Suggest to be considerate with the fishermen and no fishing activities would mean that Kimod Shoal will be a protected area and we need to consider the fishermen there and also suggest that the word no illegal fishing activities is more appropriate.
Ron A. Costelo MENRO	<ul style="list-style-type: none"> ● Suggested if its okay to omit Section 3 Letter A since our Ordinance focuses on the environmental fees and we will just strengthen the no illegal fishing activities with 2 km radius in our Tripartite Agreement with the Malapascua Business Association (MBA) and the LGU of Daan Bantayan.
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none"> ● States tha he agrees with the MENRO and at the same time with Mr. Manriquez and explained further the term no illegal fishing and no fishing. ● He further expressed that he agrees with Sir Ron to delete the provision Letter A.
Hon. Richard V. Merontos	<ul style="list-style-type: none"> ● Ask the Honourables, Punong Barangays and other

SB Member	visitors present for any comments or suggestions before the deletion of the provision Letter A.
Teodoro C. Macorol Jr. EMB ENMO	<ul style="list-style-type: none"> ● Suggest to include the EMB in monitoring the water sample to maintain the area since the EMB have that kind of activities.
Engr. Ver Philip C. Pelayo OIC-MPDC	<ul style="list-style-type: none"> ● Commented about the suggestion of Mr. Macorol that its good but the schedule of EMB is once a month not everyday. ● Suggested to make another provision in Section 3 for the EMB to get a water sample once a month.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● States that the Section 3 will be as follows: ● A. The Kimod Shoal shall have the carrying capacity of 100 persons or divers at a time. ● B. Strictly no bringing and drinking of alcoholic beverages with in the premises of the diving spot. ● C. LITTERING within the premises of the Kimod Shoal is strictly PROHIBITED. ● And so on.
Ariane Agustines Large Marine Vertebrates Research Institute of the Philippines (LAMAVE)	<ul style="list-style-type: none"> ● Commented that according to National Joint Memorandum Circular that regulates the Marine Wildlife Tourism Interaction states that for other shark species it's a maximum of 10 person per sharks but in the case of Treasher Sharks in Kimod Shoal there must be an assessment done if how many cleaning station because there are lots of Treasher Sharks there.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● States that in every station there shall be a maximum of 10 divers per station for 40 minutes. ● States other suggestions that was noted by Ms. Ariana and said that the other suggestion will be included in the Tripartite Agreement.
Romeo A Segovia MAO	<ul style="list-style-type: none"> ● Commented in Section 3 Letter E that it should not be everyday, it will be as the need arises.
Teodoro C. Macorol Jr. EMB ENMO	<ul style="list-style-type: none"> ● States that the EMB supports the Information Campaign and suggest to invite them because they are willing to join.
Ariane Agustines Large Marine Vertebrates Research Institute of the Philippines (LAMAVE)	<ul style="list-style-type: none"> ● Suggested that the divers fee is 300 pesos per diver or more than 50 pesos.
Hon. Luis Gabriel U. Veloso SB Member	<ul style="list-style-type: none"> ● Explained that if ever the divers came from Tabango, we can collect the amount of 300 pesos but since most of the divers came from Malapascua and were just a new partner with them and there are also different organization that have shares that's why we will receive 50 pesos.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● Clarified that the amount of 50 pesos is for the Environmental Fee only.
Ron A. Costelo MENRO	<ul style="list-style-type: none"> ● Shares the idea about the Monad Shoal and the Kimod Shoal. ● States that before there marketing was only from Malapascua to Monad Shoal and now it becomes from Malapascua to Monad Shoal and to Kimod Shoal. ● Further states that before around 5 years ago, there are lots of Treasher Sharks in the Monad Shoal but

	<p>now they noticed that you cannot see the Treasher Sharks between 8AM until the afternoon unlike in Kimod Shoal the Threasher Sharks are always there 24/7.</p> <ul style="list-style-type: none"> ● Explained the sharing of the amount of 300 pesos. The 100 pesos goes to the Malapascua Business Association (MBA) the other goes to other different association there in Daan Bantayan and the 50 pesos goes to Tabango. ● He also cited that the tourist are being facilitated by Daan Bantayan. ● Gives an idea that the Malapascua brings tourist to Kalanggaman in Palompon and charges 500 pesos per person and there tourist boat cant anchor there if they don't have business permit coming from Palompon.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● States that for now our fee will be 50 pesos.
Hon. Herbert V. Manriquez SB Member	<ul style="list-style-type: none"> ● Commented that maybe there's no problem if we collect 200 pesos because the Kimod Shoal is ours and questioned the Treasures Office if they are capable in collecting the fee there everyday.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● Explained that we are using there facilities.
Hon. Herbert V. Manriquez SB Member	<ul style="list-style-type: none"> ● Answered that it's not our problem, if they will enter in our area then we will collect a fee of 200 pesos or 300 pesos its up to the Treasures Office or the Mayors too collect the fee.
Misael V. Manriquez MTO	<ul style="list-style-type: none"> ● Commented that they don't have trained divers but maybe soon.
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none"> ● States that he agrees with Hon. Manriquez because its our ordinance and explained the sharing of the amount of 300 pesos and if this ordinance will push through or be approved on top of 300 pesos the diver will pay additional 100 pesos, there will be a collector from Tabango and will be assigned there for the tourist are there because we don't have facilities and dive shops and its up to the August Body or committee if it will be 50 pesos or 100 pesos. ● He also cited that there might be a possibility that the tourist might not avail going to the Kimod Shoal for the additional charge.
Ron A. Costelo MENRO	<ul style="list-style-type: none"> ● States that he also agrees with Hon. Manriquez. ● States further that for how many years the Daan Bantayan benefited from the Kimod Shoal and we don't received any amount. The relationship between our LGU is good in fact they even invite us if they don't acknowlegde as the owner of the Kimod Shoal. ● He also shares that according the Mayor in Daan Bantayan we can have a share around 300,000 if its low season and if its high season its around 500,000 to 600,000 pesos. ● States that according to Mayor Sun Shimura of Daan Bantayan regarding about the putting of collector there that there initial agreement is that we can put our collector that can accompany there collector for accountability because base on Mayor Shimura there collector is good and no one can go tho the Monad and Kimod Shoal without paying. ● States that Mayor Benjo suggest to look for a person

	<p>here or there but most likely lots of resident in Malapascua are from Tabango.</p> <ul style="list-style-type: none"> ● Suggest that as of now were just going to start at 50 pesos and later on we will just increase for our Bantay Dagat and other facilities.
Richard V. Merontos SB Member	<ul style="list-style-type: none"> ● Ask for any other concerns.
Misael V. Manriquez MTO	<ul style="list-style-type: none"> ● Suggest to include the Municipal Agriculture Office (MAO) for the funding not only the MENRO.
Catherine R. Abadines MBO	<ul style="list-style-type: none"> ● States that the tourism program should be included in the CDP, LDIP and AIP so that it will be easier for the Local Chief Executive and Municipal Budget Officer to appropriate fund since it is not included in CDP, LDIP, and AIP thus will be under the MAO and in MENRO for other facilities.
Engr. Ver Philip C. Pelayo OIC-MPDC	<ul style="list-style-type: none"> ● Asked the Municipal Budget Officer if its necessary to specify this tourism activities because it is already indicated in the CDP but not specific about the Kimod Shoal because when the the CDP is formulated the formulator indicated that it should be generalize.
Catherine R. Abadines MBO	<ul style="list-style-type: none"> ● Answered that according to the Director of DBM it should be aligned with the CDP, LDIP and the AIP. ● States also that it will be very helpful if ever there will be a financial assistance from the province or from central office regarding this tourism program/project then we can easily avail.
Engr. Ver Philip C. Pelayo OIC-MPDC	<ul style="list-style-type: none"> ● Asked if the Budget Officer suggest to amend the CDP to specify the Kimod Shoal.
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none"> ● States that he was confused we have been adopting ordinances which requires funding and not actually a project, it is just part of of the tourism program of the Municipality just like Tambayayong, we have enacted an ordinance in which the initial funding is one million and other ordinances.
Catherine A. Abadines MBO	<ul style="list-style-type: none"> ● Answered that it is one factor that make us fails in the Public Financial Management Assessment Report Tool because our projects in the CDP is generalized and in the AIP is specific.
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none"> ● Asked why it is not raised during the formulation of the CDP wherein the CDP is a big plan.
Engr. Ver Philip C. Pelayo OIC-MPDC	<ul style="list-style-type: none"> ● Explained that it is difficult to change the CDP and it will be a long process.
Catherine A. Abadines MBO	<ul style="list-style-type: none"> ● States that we need to visit RA 7160 and other legal basis about this alignment of CDP, LDIP and AIP so that we can correct what would be the right thing to do.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● States that as of now the funding will be under the Municipal Environment and Natural Resource Office (MENRO).
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none"> ● States that this ordinance can be compare4d to WOW Tabango that is still a tourism and its purpose is to collect, generate income, to promote tourism and we've been

	<p>funding WOW Tabango .</p> <ul style="list-style-type: none"> ● Pointed that it is already stated there that the funding is under the office of Municipal Environment and Natural Resources (MENRO). ● Suggest to delete the community service because of the DILG opinion that quote “ only contemplate a fee not exceeding 2,500 pesos or imprisonment not exceeding 6 months or both at the discretion of the court “ and community service is not among the enumerated penalties imposed on the violation of the Municipal Ordinance.
Hon. Luis Gabriel U. Veloso SB Member	<ul style="list-style-type: none"> ● Suggest to make the 1st offense to 2,500 pesos the 2nd offense to 2,500 pesos plus 3 months imprisonment and the 3rd offense to 2,500 pesos plus 6 months imprisonment.
Ariane Agustines Large Marine Vertebrates Research Institute of the Philippines (LAMAVE)	<ul style="list-style-type: none"> ● Asked if how does the imprisonment applies to the international foreign divers that violates the provision.
Valentino A. Codera Secretary to the Sanggunian	<ul style="list-style-type: none"> ● Answered that it is upon the discretion of the court who ever violates should penalize.
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● States that Section 8. PENAL CLAUSE will be: ● First Offense: Php 2,500 .00 ● Second Offense: Php 2,500.00 plus 3 months imprisonment. ● Third Offense: Php 2, 500.00 plus 6 months imprisonment.
Hon. Romeo A. Arcenal Punong Barangay Tugas, Tabango, Leyte	<ul style="list-style-type: none"> ● States about the illegal fishing and to allow only fishing in the area
Hon. Rubilita A. Dela Cruz LIGA President	<ul style="list-style-type: none"> ● Answered that provision will be deleted.
Hon. Richard V. Merontos SB Member	<ul style="list-style-type: none"> ● Asked the Honourables and visitors for other comments and suggestions.

The public hearing adjourned at around in 11:45 in the morning.

Certified Correct:


KARLA MARIE S. ARABIS
 Administrative Aide I



Republic of the Philippines
Province of Leyte
Municipality of Tabango

-000-

Office of the Sangguniang Bayan

PUBLIC HEARING ATTENDANCE

Committee on Environment Protection and Ecology

Date: July 04, 2023

Time: 09:00 AM

Subject: Proposed Ordinance entitled " An Ordinance Providing Guidelines, Fees, Penalties for the Management, Protection and Promotion of KIMOD SHOAL in Brgy. Tugas, Tabango, Leyte and other Purposes.

Name	Designation/Office	Signature
1. Ariana Agustines	Large Marine Vertebrates Research	Institute Philippines (LAMAVE) @AA
2. Ron COSTEN	MEMRO	[Signature]
3. RUBIUTA A. DEGA CRUZ	LILA PRESIDENT	[Signature]
4. LORIBEL X. MAYPA	P.B. / STA. ROSA	[Signature]
5. WINDYL X. DANO	FISHERPOLIC / STA. ROSA	[Signature]
6. MEMBERT V. MANMOR	SB MEMBER	[Signature]
7. JOEL ERNE E. ROBLES	SB MEMBER	[Signature]
8. RICHIE O. OCUBILLO	SB MEMBER	[Signature]
9. Teodoro C. Macaron Jr	EMB ENMO	[Signature]
10. Quintin Y. Dayon	Kagawad Tugos	[Signature]
11. Romeo C. Xreusar	P.B. Tugos	[Signature]
12. MIGUEL V. XRAYQUER	MUN. TUGAS - LGU	[Signature]
13. WILFREDO R. ALO	DIC - ME	[Signature]
14. ROMEO A. SEGOVIA	MA - MAO	[Signature]
15. SUMANT O. (NOT)	MUN. ASSEMBLY	[Signature]
16. LOWENA R. MARIQUETA	P.B. / CATMON	[Signature]
17. Elvira D. Hallazgo	Kagawad / Gubocungan	[Signature]
18. JOSE JAY M. LUCHE	P.B. TABING	[Signature]
19. EMEUIDA A. DAMAYO	Kg. II - MAO	[Signature]
20. MOCORON SKOXDON	MAO	[Signature]
21. LUIS GABRIEL VELOSO	SB MEMBER	[Signature]
22. MARY DOREEN M. CORKUEND	MCA / DIC - MCWD	[Signature]
23. Catherine R. Abadines	MBO	[Signature]
24. VER PHILIP C. FELAYO	DIC - MPDC	[Signature]
25. TEODULFO X. MATINO JR.	P.B. POBLACION	[Signature]
26. DINAN GRACE N. AMANTE	P.B. BUTASIN - I	[Signature]
27. FE D. DAMAYO	Brgy. Treas. BUTASIN II	[Signature]
28. Richard Nermifos	Brgy. Poblacion	[Signature]
29. Valentino Codera	SB SEC	[Signature]
30. Analyh Balay	SB STAFF	[Signature]
31. Marites J. Monjinor	Brgy. UMANAHAN CLERK	[Signature]
32. Ramza Damayo	SB STAFF	[Signature]
33. Jhoza Marie Francisco	SB STAFF	[Signature]

