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11/14/23 1:50pm
W/M

Item No.: 35

Date: 21 2023 NOV

Province of Leyte
Legal Office

Released: [Signature]
Time: [Signature]
Date: 11-14-23

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

PROVINCIAL LEGAL OFFICE

2nd INDORSEMENT
November 9, 2023

Respectfully returned to the Sangguniang Panlalawigan of Leyte, through the SP Secretary, the attached Ordinance No. 23-15 Series of 2023 of the Sangguniang Bayan of Inopacan, with the following opinions/comments:

1. That the 4th whereas of the ordinance states that "Any LGU with territory inside a protected territory inside a protected area may : impose and collect fees for business permits, regulatory fees, real property taxes on private property and rentals for LGU's facilities they traditionally collect, except such fees enumerated under Section 16 of the NIPAS act as amended"
2. That such provision is incomplete without the succeeding phrase "provided that such additions shall be based on the contribution of the LGU in the maintenance and protection of the protected area.
3. That such phrase be added on the 4th whereas and implemented as a whole.
4. That pursuant to DENR AO 2019-05, Rule 26.2 ;

"The fees for the use of facilities and resources of the LGU within the protected area shall be imposed by the LGU in consideration of its investment and/or significant contribution to the protected area. This may be in the form of pavilions, multi-purpose halls, picnic sheds, cottages, trails, water and power systems. A mutually acceptable revenue sharing allocation between the PAMB and the LGU may be set out in a MOA subject to some conditions: (1) allocation may allow the LGU to recover its investment based on the actual cost of the construction of the facilities, including actual interest, as certified by the Accountant of the LGU; (2) Allocation shall take into account costs of management, protection and maintenance of the facilities which, unless there is an agreement to the contrary, shall be for the account of the PAMB; (3)

Special Collection Officer designated by the DENR shall collect entrance fees;
(4) Upon expiration of the MOA, all revenues shall accrue to the IPAF; and (5)
LGU may voluntarily waive its right to recover its investment and donate the
facilities, which shall be in writing”.

5. That pursuant to the preceding item, A MOA with the PAMB/DENR is recommended to be executed for the implementation of the Ordinance.


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

Republic of the Philippines
PROVINCE OF LEYTE
Palo, Leyte

OFFICE OF THE SANGGUNIANG PANLALAWIGAN

Province of Leyte
Legal Office
Received: *[Signature]*
Date: *10.25.23*

1ST INDORSEMENT
25 October 2023

The Provincial Legal Office is respectfully requested to review and submit recommendations on the herein enclosed **ORDINANCE NO. 23-15** of the **MUNICIPALITY** of **INOPACAN, LEYTE**, entitled: AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES FOR FOREIGN TOURISTS ON BOARD CRUISE SHIP VISITING THE CUATRO ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER THE JURISDICTION OF LGU-INOPACAN, PROVINCE OF LEYTE.

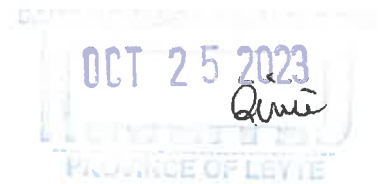
[Signature]
FLORINDA JILL S. UYVICO
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Inopacan

15TH SANGGUNIANG BAYAN

24 October 2023



Honorable Leonardo Javier Jr.
Vice Governor/Presiding Officer
Sangguniang Panlalawigan of Leyte
Provincial Government Complex
Campetic, Palo, Leyte

Thru:


Ms. Florinda Jill S. Uyvico
Secretary to the Sanggunian
Sangguniang Panlalawigan of Leyte
Provincial Government Complex
Campetic, Palo, Leyte

Honorable Javier Jr.:

Forwarding herewith 2 original copies and 15 photocopies of **Ordinance No. 23-15** of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, entitled, **“AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES FOR FOREIGN TOURISTS ONBOARD CRUISE SHIP VISITING THE CUATRO ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER THE JURISDICTION OF LGU-INOPACAN, PROVINCE OF LEYTE”**, for consideration by the Sangguniang Panlalawigan of Leyte.

Attached herewith are the Certificate of Posting, Minutes of Public Hearing with Attendance Sheet, and Certification of Public Hearing.

Sincerely,


MELANIE M. MARTIN-AO, MPA
Secretary to the Sanggunian



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

15TH SANGGUNIANG BAYAN

SANGGUNIANG PAMBALANGKASAN
 OCT 25 2023
 DIVISION OFFICE OF LEYTE

EXCERPT FROM THE MINUTES OF THE SPECIAL SESSION OF THE
 15th SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON
 OCTOBER 18, 2023 AT THE SB SESSION HALL

PRESENT:

- | | |
|-------------------------------|---------------------------------|
| Hon. Sanders C. Lumarda | - Vice Mayor, Presiding Officer |
| Hon. Fernando B. Rulete | - SB Member |
| Hon. Andrew B. Dedal | - SB Member |
| Hon. Zenaida G. de los Santos | - SB Member |
| Hon. Joel D. Bernales | - SB Member |
| Hon. Alfie Jian B. Yamson | - SB Member |
| Hon. Daria D. Malanguis | - SB Member |
| Hon. Rowena K. Madrazo | - SB Member |
| Hon. Diosdado P. Siao | - SB Member |
| Hon. Arnilo J. Polo | - SB Member (LnB Pres) |
| Hon. Marianne B. Boldios | - SB Member (PSK Pres.) |

ABSENT:

None

AUTHOR: HON. DIOSDADO P. SIAO

**CO-AUTHORS: HON. ZENAIDA G. DE LOS SANTOS
 HON. ALFIE JIAN B. YAMSON
 HON. DARIA D. MALANGUIS
 HON. MARIANNE B. BOLDIOS**

WHEREAS, cruise tourism is making an overwhelming comeback and the return of cruise ships to Cuatro Islas Protected Landscape and Seascape (CIPLS) is a big boost to the local tourism industry;

WHEREAS, the fees collected by PAMB, LGU-Inopacan, and BLGU-Apid shall be used to defray expenses like operations and maintenance, manpower complement, upgrading of facilities, and conservation programs;

WHEREAS, Section 132 stipulates that the power to impose a tax, fee or charge to generate revenue under the Local Government Code of 1991 shall be exercised by the LGU concerned through an appropriate ordinance;

WHEREAS, Rule 26.1, Section 26 of the ENIPAS Act of 2018 provides that "Any LGU with territory inside a protected area may: (c) Impose and collect fees for business permits, regulatory fees, real property taxes on private property, and rentals for LGUs facilities they traditionally collect, except such fees enumerated under Section 16 of the NIPAS Act, as amended";

NOW, THEREFORE, on motion of Honorable Diosdado P. Siao, duly seconded by all the Members present, be it

RESOLVED, as it is hereby RESOLVED, to enact the following:

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(ordinance no. 23-15 of the sangguniang bayan of inopacan, leyte dated october 18, 2023, continued)

ORDINANCE NO. 23-15

AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES FOR FOREIGN TOURISTS ONBOARD CRUISE SHIP VISITING THE CUATRO ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER THE JURISDICTION OF LGU- INOPACAN, PROVINCE OF LEYTE

BE IT ORDAINED by the Sangguniang Bayan of Inopacan, Leyte that;

SECTION 1. This ordinance shall be known as “**Cruise Ship Fee Ordinance**”.

SECTION 2. Definition of terms – As used in this ordinance, these terms shall have the following meaning:

1. Foreign Tourist – shall mean a person who is traveling or visiting a place for pleasure.
2. Cruise Ship – a passenger ship used for pleasure cruises, usually taking passengers with occasional calls in various places of interest.
3. Entrance Fee – shall mean a fee imposed by the Protected Area Management Board (PAMB) of the Cuatro Islas Protected Landscape and Seascape (CIPLS) to individual foreign tourist visiting the protected area within the jurisdiction of LGU-Inopacan.
4. Regulatory Fee – shall mean a fee imposed by the LGU to individual foreign tourist visiting the islets of the CIPLS under the jurisdiction of LGU-Inopacan.
5. Eco-Tourism Enterprise – shall mean the services being offered by LGU-Inopacan for a fee.
6. CIPLS – shall mean the Cuatro Islas Protected Landscape and Seascape, which is a legislated protected area in the Philippines, by virtue of the ENIPAS Act of 2018.
7. PAMB – shall mean Protected Area Management Board, which is a decision-making body created by the ENIPAS Act of 2018, as amended by RA 7586, that exercises jurisdiction area of Protected Area within its Area of Responsibility.
8. LGU-Inopacan – shall mean the Local Government Unit of Inopacan.
9. BLGU–Apid – shall mean the Barangay Local Government Unit of Apid.
10. Islet – shall mean small islands formed by actions of sea on bodies of water, which are unstable and impermanent in nature.



(ordinance no. 23-15 of the sangguniang bayan of inopacan, leyte dated october 18, 2023, continued)

SECTION 3. Imposition of fees – There shall be collected regulatory and entrance fees for individual foreign tourists visiting one islet of the CIPLS under the jurisdiction of LGU-Inopacan, to wit:

Regulatory Fee	PhP 500.00 – LGU-Inopacan Php 50.00 – BLGU-Apid
Entrance Fee	PhP 150.00 – PAMB

SECTION 4. Other Fees

Cruise Ship Anchorage/Docking Fee- PhP 10,000.00 –PAMB

SECTION 5. Rates of Fees and Charges on Eco-Tourism Enterprise:

1. Kayak	PhP 150.00/hour
2. Sea Bicycle	PhP 150.00/hour
3. Snorkeling	PhP 150-.00/person/hour
4. Banana Boat	PhP 150.00/person/hour
5. Stand –up Paddle	Php 150.00/person/hour
6. Lounging Chair (Reclining Chair)	PhP 500.00/day
7. Massage Table	Fee Sharing: 25% to LGU and 75% to Massage Therapist

User Fee: Php 100.00 for foreigner (Pursuant to DENR Administrative Order No. 2016-24, Sec. 6 (Fees for Recreational Activities within Designated Visitor Areas))

SECTION 6. Manner of Payment- The fee imposed herein shall be paid to each authorized collecting agent from PAMB, LGU-Inopacan, and BLGU-Apid.

SECTION 7. This Ordinance is applicable and exclusive for cruise ship visit only.

SECTION 8. Penalties. The following penalties shall be imposed for violation of this ordinance:

1st Offense	- a fine of Php 1,500.00
2nd Offense	- a fine of Php 2,000.00
3rd and Succeeding Offense	- a fine of Php 2,500.00

SECTION 9. Compromise Penalty- The Municipal Treasurer is hereby authorized to enter into a compromise settlement fee as maybe mutually agreed upon by both parties.

SECTION 10. Repealing Clause – All ordinances, resolutions, orders and/or rules and regulations inconsistent herewith are hereby repealed and modified accordingly.

SECTION 11. Separability Clause – If any section or provision of this ordinance is declared void or unconstitutional, the remaining section or provision thereof shall not be affected by such declaration.

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(ordinance no. 23-15 of the sangguniang bayan of inopacan, leyte dated october 18, 2023, continued)

SECTION 12. Effectivity Clause- This ordinance shall take effect after its approval.

ENACTED this 18th day of October, 2023 at Inopacan, Leyte.

I HEREBY CERTIFY to the correctness of the foregoing Ordinance and that the same was enacted on the date above stated.


MELANIE M. MARTIN-AO, MPA
Secretary to the Sanggunian

ATTESTED:


HON. SANDERS C. LUMARDA
SB Member
Temporary Presiding Officer

APPROVED:


HON. ROGELIO D. PUA, JR.
Municipal Mayor

Date: 10/24/2023



**Republic of the Philippines
Province of Leyte
Municipality of Inopacan**

15TH SANGGUNIANG BAYAN


CERTIFICATE OF POSTING

TO WHOM THIS MAY CONCERN:

THIS IS TO CERTIFY that copies of **Ordinance No. 23-15** of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, entitled, **“AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES FOR FOREIGN TOURISTS ONBOARD CRUISE SHIP VISITING THE CUATRO ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER THE JURISDICTION OF LGU-INOPACAN, PROVINCE OF LEYTE”**, has been posted in the bulletin board in the municipal hall/building and in conspicuous place in the public terminals of this Municipality and will be posted as well in all the Barangay Halls of this Municipality.

This Certification is being made to facilitate consideration of the above-mentioned Municipal Ordinance by the Sangguniang Panlalawigan of Leyte.

Done this **24th** day of **OCTOBER 2023**, at Inopacan, Leyte.


MELANIE M. MATIN-AO, MPA
Secretary to the Sanggunian



Republic of the Philippines
Province of Leyte
Municipality of Inopacan
-oOo-
15th Sangguniang Bayan

MINUTES OF THE PUBLIC HEARING OF THE PROPOSED MUNICIPAL ORDINANCE OF THE 15TH SANGGUNIANG BAYAN OF INOPACAN, LEYTE HELD ON OCTOBER 16, 2023 AT THE SB SESSION HALL, NEW TOWN HALL, INOPACAN, LEYTE

1 **PRESENT: (Please see attached Attendance Sheet, also attached are the lists of**
2 **personalities invited)**
3

4 The proposed Ordinances submitted for public hearing are the following:
5

6 1) **“AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 22-11 OF THE**
7 **SANGGUNIANG BAYAN OF INOPACAN, LEYTE DATED 25 OCTOBER 2022 BY**
8 **ADDING SECTION 5C AND 5D ON MONTHLY RENTAL FEES OF ROOMS AND**
9 **PASALUBONG CENTER IN THE NEW PUBLIC MARKET, MUNICIPALITY OF**
10 **INOPACAN, PROVINCE OF LEYTE.”**
11

12 2) **“AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES**
13 **FOR FOREIGN TOURISTS ONBOARD CRUISE SHIP VISITING THE CUATRO**
14 **ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER**
15 **THE JURISDICTION OF LGU- INOPACAN, PROVINCE OF LEYTE”**
16

17 The public hearing started at 1:45 in the afternoon with an opening prayer through
18 computer audio and was immediately followed by the singing of the national anthem
19 synchronized with the computer audio.
20

21 The Secretary introduced to the participants the SB Members present, namely:
22 Honorable Fernando B. Rulete, Honorable Andrew B. Dedal, Honorable Zenaida G. de los
23 Santos, Honorable Joel D. Bernales, Honorable Daria D. Malanguis, Honorable Rowena K.
24 Madrazo, Honorable Diosdado P. Siao, and Honorable Marianne B. Boldios. She also
25 acknowledged the presence of the PAMB – PASu, Ms. Jo, Punong Barangays, concerned
26 Department Heads and personnel and informed the participants that the Mayor will be
27 attending as well. The Secretary then thanked the participants for attending the public
28 hearing and explained to them that the same is conducted since the two (2) Ordinances
29 involve collections of fees and charges. She also encouraged the participants to reserve
30 their questions/queries and participate during the open forum a little later. And to introduce
31 themselves first before raising questions, for her to have it well noted. She then gave the
32 floor to Honorable Dedal for the discussion of the above-1st Ordinance.
33

34 **“AN ORDINANCE AMENDING SECTION 5 OF ORDINANCE NO. 22-11 OF THE**
35 **SANGGUNIANG BAYAN OF INOPACAN, LEYTE DATED 25 OCTOBER 2022 BY**
36 **ADDING SECTION 5C AND 5D ON MONTHLY RENTAL FEES OF ROOMS AND**
37 **PASALUBONG CENTER IN THE NEW PUBLIC MARKET, MUNICIPALITY OF**
38 **INOPACAN, PROVINCE OF LEYTE”**
39

40 Honorable Dedal, the Author of the above Ordinance thanked the participants and
41 the stakeholders once more and hereby acknowledged the presence of the former SB
42 Member of the 14th Sangguniang Bayan, Honorable Sabino D. Pua, who is also a
43 stakeholder. He also acknowledged his colleague SB Members, the PASu (Ms. Jo) and the
44 Department Heads). Honorable Dedal explained that the Ordinance to be deliberated is an
45 amendment to Ordinance No. 22-11 because the part of the new public market is not being
46 incorporated in the said Ordinance, particularly the rooms, considering the building was not
47 fully established at that time. Hence Ordinance No. 22-11 covers only Meat, Fish and
48 Vegetable Sections/stalls. And since rooms are ready for rent, hence, the above Ordinance
49 is being proposed.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of Inopacan, leyte held on october 16, 2023 continued)

50 Honorable Dedal, the Author of the proposed Ordinance entitled “AN ORDINANCE
51 AMENDING SECTION 5 OF ORDINANCE NO. 22-11 OF THE SANGGUNIANG BAYAN
52 OF INOPACAN, LEYTE DATED 25 OCTOBER 2022 BY ADDING SECTION 5C AND 5D
53 ON MONTHLY RENTAL FEES OF ROOMS AND PASALUBONG CENTER IN THE NEW
54 PUBLIC MARKET, MUNICIPALITY OF INOPACAN, PROVINCE OF LEYTE”, began his
55 discussion by informing the participants that the amendment is by adding Sections 5C and
56 5D to Ordinance No. 22-11. He then discussed the entirety of the said Ordinance, putting
57 emphasis to the amendments, which rooms have been categorized into two, depending on
58 the area measurements, as presented below:

59
60 C. Rooms:

61 C.1 Area = 12 SQ. METERS (10 rooms)
62 W= 3 M L = 4 M
63

FEES	NON-RESIDENT	RESIDENT
1. Right of Occupancy	P 5,000.00 (Initial Bid)	P 4,000.00 (Flat Bid)
2. Rental (excluding water and electricity)	2,000.00/month	2,000.00/month

64
65 Honorable Dedal elaborates that initial bid means the amount is going higher, just
66 like having an auction.

67
68 C.2. Area = 24 SQ. METERS (5 rooms)
69 W= 6 M L = 4 M
70

FEES	NON-RESIDENT	RESIDENT
1. Right of Occupancy	P 10,000.00 (Initial Bid)	P 5,000.00 (Flat Bid)
2. Rental (excluding water and electricity)	4,000.00/month	4,000.00/month

71
72 Honorable Dedal emphasized that the rental fee is twice the amount since the area
73 also is twice wider than presented in (c.1).

74
75 Honorable Dedal explained further that the rental fees for (c.1) and (c.2) are based
76 on the rationalized fees and charges, as the BLGF has been conducted a rationalization
77 seminar in the previous week in Tacloban, relative to the Local Revenue Code for the
78 municipality and the rate computations are in proper coordination with the Municipal
79 Engineer, given a 10-year life span period of the building/s. He added that based on the
80 computations, to cope up the costs of the building within ten (10) years, the rental fee would
81 be Php 2,083.00 (for 12 SQ M) and Php 4,166.00 (for 24 SQ M), duly approved by the
82 Municipal Treasurer as well. Rental fees are actually rounded off.

83
84 D. Pasalubong Center

85 Area = 48.8 SQ. METERS
86 W= 6.1 M L = 8 M
87

FEES	NON-RESIDENT	RESIDENT
1. Right of Occupancy	P 5,000.00 (Initial Bid)	P 4,000.00 (Flat Bid)
2. Rental (excluding water and electricity)	2,500.00/room/month	2,500.00/room/month

88
89 Honorable Dedal explained that parts of Ordinance 22-11 that do not have any
90 changes like the stalls were not being tackled in today's public hearing, only these additional
91 fees and charges.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on october 16, 2023 continued)

Open Forum:

92
93
94 Mr. Ervin Paul Soliano raised his concern with their rented space, particularly,
95 Pioneer Cable, in the old Public Market. He relayed that he was at the Treasurer’s Office in
96 the previous week since he has heard about the transfer to the New Public Market. He
97 asked if they could rent at the new Public market especially that on the 1st qy=arter of
98 2024, they will be upgrading their cable internet into internet service provider which two (2)
99 racks will then be installed. They just wanted that if they are going to install the same,
100 hopefully, in the final space for them to rent, so they will not be transferring again to another
101 location. Honorable Dedal replied that the Pioneer Cable will be as it is (as the existing),
102 because it will be excluded in the renovation. Mrs. Nirza, Municipal Treasurer also informed
103 Mr. Soliano that they will be informed ahead of time once they will be transferred (if ever).
104 She added that as planned, renovation will be at the center portion of the old public market.
105 And when it will necessary to transfer, then the LGU will provide also a particular area to be
106 occupied by the affected clients/stakeholders. As Mr. Soliano asked if they could occupy the
107 (c.2) room, Honorable Dedal replied, it’s the discretion of the implementing department, thru
108 the Municipal Treasurer. He also explained that upon the enactment and approval of the
109 Ordinance, it will be the executory department to decide. Honorable Dedal added that the
110 SB is the legislative Body. Views and opinions on the possible time the rooms will be
111 available, were aired, as Mrs. Nirza mentioned that they will also be announcing on the
112 bidding schedule of the rooms, everyone may also visit the BPLO for queries, especially on
113 the procedures of acquiring rooms in the new public market. She assured Mr. Soliano that
114 so far, their existing rented area is still safe for the moment.
115

116 Former SB Member, Hon. Sabino D. Pua, brought up some queries and concerns,
117 for and in behalf of his colleagues in the field of business. He started with the majority’s
118 complaints which to them the Php 2,000.00 monthly rental is too high for them at this
119 situation, majority also request to have a lower rate than indicated in the Ordinance.
120 Honorable Dedal asked if what is the preferred lower amount of the majority stakeholders,
121 while this Ordinance is still for deliberation. And the former SB Member replied the figures
122 below:
123

C.1 Area = 12 SQ. METERS

FEES	NON-RESIDENT	RESIDENT
2. Rental (excluding water and electricity)	2,000.00/month	2,000.00/month
Requested rental by the stakeholders:	1,000.00/month	1,000.00/month

C.2. Area = 24 SQ. METERS

FEES	NON-RESIDENT	RESIDENT
2. Rental (excluding water and electricity)	4,000.00/month	4,000.00/month
Requested rental by the stakeholders:	2,000.00/month	2,000.00/month

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131 Honorable Dedal and Honorable Bernales replied that the stakeholders’ preferred
132 amounts will be noted, subject for deliberation. A copy of the rationalized (computation) fees
133 and charges was furnished then to the former SB Member Hon. Pua. Mrs. Nirza explained
134 that the computation serves just to recover the costs of the building, no income actually.
135 Honorable Dedal added that the computation is service-oriented, not business-oriented.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on october 16, 2023 continued)

136 Former SB Member, Hon. Sabino D. Pua, explained that he is speaking for and on behalf of
137 his colleagues in the business, the stakeholders who request a negotiation on the rental
138 fees. With the given 10-years life span of the building, he suggested that the increase on
139 rental fees be in a gradual scheme. Mrs. Nirza replied she will coordinate the Municipal
140 Engineer as to the matter, and according to her, there is another way of computation also.
141 Honorable Dedal mentioned that the updating of xxx is 5 years. Views and opinions were
142 aired, so as the pasalubong center. As former Hon. Pua mentioned the gradual rental
143 increase depending on the situation of the stakeholders' business status, Honorable replied
144 that the increase is mandatory after 5 years. Mrs. Nirza added that before 5 years, rental will
145 gradually increase. And Honorable Bernales recommends a yearly gradual increase.
146 Towards the end, Honorable Rulete explained that the concerned stakeholders will be
147 informed as to the approved rates on the rental of the aforementioned rooms in the new
148 public market.

149
150 Mr. Edsil Oclinaria asked if what are the products that are not allowed to display/sell
151 in the market rooms, because he is worried if the same will be used as meat shop, hence,
152 he suggested having specified in the Ordinance those items not allowed for that particular
153 space. Honorable Dedal replied that based on his observations and to some other
154 Ordinances also in other municipalities, rooms are intended mostly for cereals (bigasan) and
155 RTWs excluding meat and fish since that belongs to wet section. He agreed and thanked
156 Mr. Oclinaria for the idea and assured to add a provision in the Ordinance, specifying the
157 items allowed, as the rooms is classified as the Dry Section. As to the previous Ordinance,
158 items are specified in the Dry Section, separate from the wet section. Views and opinions
159 were aired.

160
161 Mr. Rogelio Bisnar, President of the Inopacan Tabuan Vendors Association (ITVA),
162 brought up that their vegetable stalls also, currently have mixture of items, not only
163 vegetables. According to him, many vendors suggested to arrange the items according to its
164 kind (e.g. fruits, vegetables, dried fish, and the like). Honorable Dedal replied that the
165 concern is at the control of the vendors, as the Municipal Treasurer added that there are no
166 specifications for that matter. She added that she also received the same concerns and
167 checked on it, but they are just into the definitions and the provisions of the Ordinance, and
168 the same was not been tackled during the previous public hearing also. Therefore, if the
169 vegetable vendors sell dried fish, the office could not disallow the same. Honorable Dedal
170 manifested that the concerns could not be controlled as well. As views and opinions were
171 aired, the Secretary acknowledged the presence of the Municipal Mayor, Honorable Rogelio
172 D. Pua, Jr. Former SB Member, Hon. Sabino D. Pua suggested to the Author, Honorable
173 Dedal that the concern is not that so relates to the Ordinance discussed in today's public
174 hearing. The latter agreed and told Mr. Bisnar that his concerns are well noted.

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**“AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES
FOR FOREIGN TOURISTS ONBOARD CRUISE SHIP VISITING THE CUATRO
ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER
THE JURISDICTION OF LGU- INOPACAN, PROVINCE OF LEYTE”**

For the above-captioned Ordinance, the Secretary gave the floor to Honorable Siao for the discussion. The latter, as the Author of the above Ordinance, started with the discussion that the Ordinance is intended for the foreign Cruise ship/s visiting the Cuatro Islas, then discussed the entirety of the Ordinance.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on october 16, 2023 continued)

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Open Forum:

Honorable Siao asked for any comments and suggestions especially from Ms. Joana, the PASu of the PAMB - CIPLS. Ms. Jo presented some minor clarifications, suggestions and additional to the proposed Ordinance, as follows: 1) to add a whereas on the last part, to wit: **WHEREAS**, Rule 26.1, Section 26 of the ENIPAS Act of 2018 provides that "Any LGU with territory inside a protected area may: (c) Impose and collect fees for business permits, regulatory fees, real property taxes on private property, and rentals for LGUs facilities they traditionally collect, except such fees enumerated under Section 16 of the NIPAS Act, as amended"; 2) Section 2 (Definition of Terms), she suggested a definition for the entrance fee, to wit: Entrance Fee – shall mean a fee imposed by the Protected Area Management Board (PAMB) of the Cuatro Islas Protected Landscape and Seascape (CIPLS) to individual foreign tourist visiting the protected area within the jurisdiction of LGU-Inopacan; 3) Still on Section 2 (Definition of Terms) she suggested the definition of Regulatory Fee as follows: Regulatory Fee – shall mean a fee imposed by the LGU to individual foreign tourist visiting the islets of the CIPLS under the jurisdiction of LGU-Inopacan; 4) Still on Section 2 (Definition of Terms) she suggested the definition of PAMB to be: PAMB – shall mean Protected Area Management Board, which is a decision-making body created by the ENIPAS Act of 2018, as amended by RA 7586, that exercises jurisdiction area of Protected Area within its Area of Responsibility; 5) Still on Section 2 (Definition of Terms) she suggested the DENR definition of an islet, to wit: Islet – shall mean small islands formed by actions of sea on bodies of water, which are unstable and impermanent in nature, instead of any of the island as defined in the proposed Ordinance; 6) On Section 5, she opened up her concern on the Rates of Fees and Charges on Eco-Tourism Enterprise, like Kayak, Sea Bicycle and those provided in the Ordinance, that based on the DENR Administrative Order No. 2016-24 dated Sep 16 2016, Sec. 6 (Fees for Recreational Activities within Designated Visitor Areas), a User Fee can be collected in the amount of Php 100.00 per foreign tourist. She added that though the fee is for the PAMB, but according to her, it is fine is the collection will go to the LGU/if the LGU will do the collection. Honorable Siao agreed to add the User Fee, although the economic enterprise has already been provided in a separate Ordinance; 7) On Section 8 (Penalties), she suggested a higher amount of penalties considering it is a foreign tourist. For her, the 1st Offense with a fine of Php 500.00 and 2nd Offense with a fine of Php 1,000.00 is too small/low for a penalty. At this juncture, Honorable Bernales manifested that Ms. Jo is being invited in the Regular Session by the next day (Tuesday), hence, some of her suggestions may be discussed during the session. And Ms. Jo agreed and said that a copy of all her suggestions will be provided as well to the SB Secretary.

Former SB Member Honorable Sabino Pua posed some clarifications to Ms. Jo about Section 4 (Other Fees) with Php 10,000.00 as the Cruise Ship Anchorage/Docking Fee) and the latter replied that it is not actually hers, but it is based and a provision of the DENR Administrative Order (DAO) No. 2016-24, a policy for tourists visiting within protected area. She added that the Php 10,000.00 is a small amount actually, and she explained everything regarding the small boats which actually dock at the islets which supposedly corresponds a docking fee of Php 5,000.00 per dock which to them, is too much. Views and opinions were aired. To this, Honorable Bernales manifested for Ms. Jo to provide the policy she mentioned, DAO. Ms. Jo do not have copy of it and she said, it can be searched thru the internet, and Honorable Bernales told the Secretary to have it searched.

Former SB Member Honorable Sabino Pua asked if Hindang is aware of the Ordinance or any advance information to them, considering that the CIPLS refers to the Cuatro Islas, including the Himokilan which is under the jurisdiction of Hindang. And it is necessary for Hindang to enact an ordinance as well so that it will be a synchronized Ordinance as the legal basis for both Inopacan and Hindang. So that the same fees will be applied. Ms. Jo, as the PASu, explained that the CIPLS – PAMB has a Technical Working Group (TWG) which is composed of the LGUs, barangays, Governor and Congressman. According to her, the ordinance has been tackled during the TWG Meeting, hence, agreed to have a Cruise Ship Ordinance to define the tourist visits, Hindang was invited at that meeting, she said.



(minutes of the public hearing of the proposed municipal ordinances of the 15th sangguniang bayan of inopacan, leyte held on october 16, 2023 continued)

246 She also informed everyone that this coming cruise ship visit will not be in Himokilan, only in
 247 Mahaba and Digyo Islets, because tourist do not prefer crowded islets/islands. And if this
 248 Ordinance be approved, the same will be presented to the PAMB, with the presence of the
 249 Mayors from Inopacan and Hindang. Views and opinions were aired as Mrs. La Purita B.
 250 Sorila also raised her opinions with the Hindang LGU and the suggestion of having Tres
 251 Islas instead of Cuatro Islas. Ms. Jo replied the DENR offered Himokilan to the tourists but
 252 the latter refused as they already knew that Himokilan is a residential island. As Former SB
 253 Member Honorable Sabino Pua mentioned about the previous cruise ship, Ms. Jo replied
 254 that the cruise ship that had visited the Cuatro Islas before is "pangmasa", but this upcoming
 255 visit would be different from the previous one, a small and a very private cruise ship.
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257 As the former SB Member Honorable Sabino Pua raised his concern if the tourist
 258 would not react to a total fee of Php 700.00 per head, Ms. Jo replied its actually a small
 259 amount compared to the fees collected by some other LGUs with islands/islets (e.g.
 260 Kalanggaman Island in Palompon). Some protected areas impose more than a thousand
 261 entrance fees. Views and opinions were aired.
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263 Since there being no more other questions, Honorable Siao thanked all the
 264 participants. The public hearing ended at 2:40 o'clock in the afternoon.
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I HEREBY CERTIFY TO THE CORRECTNESS OF THE FOREGOING:

MELANE M. MATIN-AO, MPA
Secretary to the Sanggunian

NOTED:

HON. ANDREW B. DEDAL
SB Member
Author

HON. DIOSDADO P. SIAO
SB Member
Author

HON. FERNANDO B. RULETE
SB Member
Co-Author

HON. DARIA D. MALANGUIS
SB Member
Co-Author

HON. ZENAIDA G. DE LOS SANTOS
SB Member
Co-Author

HON. ROWENA K. MADRAZO
SB Member
Co-Author

HON. JOEL D. BERNALDES
SB Member
Co-Author

HON. MARIANNE B. BOLDIOS
SB Member
Co-Author

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**Republic of the Philippines
Province of Leyte
Municipality of Inopacan**

15TH SANGGUNIANG BAYAN

CERTIFICATION OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

THIS IS TO CERTIFY that on October 16, 2023, a public hearing had been conducted on the proposed Ordinance of the 15th Sangguniang Bayan of the Municipality of Inopacan, Province of Leyte, to wit:

- 1) **“AN ORDINANCE IMPOSING ENTRANCE, REGULATORY AND OTHER FEES FOR FOREIGN TOURISTS ONBOARD CRUISE SHIP VISITING THE CUATRO ISLAS PROTECTED LANDSCAPE AND SEASCAPE (CIPLS) ISLETS UNDER THE JURISDICTION OF LGU-INOPACAN, PROVINCE OF LEYTE”**

This Certification is being made to facilitate consideration of the aforementioned Municipal Ordinance by the Sangguniang Panlalawigan of Leyte.

Done this 24th day of October 2023, at Inopacan, Leyte.


MELANIE M. MATIN-AO, MPA
Secretary to the Sanggunian