



Republic of the Philippines
Province of Aklan
MUNICIPALITY OF MALAY



Office of the Sangguniang Bayan

EXCERPT FROM THE MINUTES OF THE 7TH REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2007-2010) HELD AT THE SB SESSION HALL ON MARCH 4, 2009.

Present:

- SB Member Rowen T. Aguirre, Acting Presiding Officer
- Hon. John P. Yap, Municipal Vice Mayor
- SB Member Wilbec M. Gelito
- SB Member Gideon T. Siñel
- SB Member Cristina C. Prado
- SB Member Charlie D. Villanueva
- SB Member Dante C. Pagsugiron
- SB Member Mateo A. Tayco
- SB Member Roldan M. Casidsid, Liga President
- SB Member Niño Elpe D. De Sullan, SK Federation President

Absent:

- SB Member Esel L. Flores

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MUNICIPAL ORDINANCE NO. 271
Series of 2009

AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 2001-139, AN ORDINANCE DECLARING "ANGOL POINT REEF, TAMBISAAN AND CROCODILE ISLAND REEF, TULUBHAN REEF, ILIG-ILIGAN REEF, LAPUS-LAPUS REEF, BALINGHAI REEF, SAID POINT, PUNTABUNGA REEF AND BUNYOGAN REEF," AS MARINE PARKS AND OUTLINING GUIDELINES FOR THEIR MANAGEMENT, PROTECTION, PRESERVATION AND UTILIZATION.

SECTION 1. - **RATIONALE.** The marine areas identified by Municipal Ordinance No. 2001-139 as fish sanctuaries are all located off shore Boracay Island. Considering the rigidity of the policies for sanctuaries and by reason of their location, designating these areas as fish sanctuaries is not viable. It is therefore appropriate to downgrade the classification of these areas as marine parks where some tourism related marine activities, such as snorkeling and diving, may be permitted. Hence this repeal and/or amendment.

SECTION 2. - **DEFINITION OF TERMS/PHRASES.** For purposes of this Ordinance, the following terms/phrases, whether in singular or plural form, shall mean:

- a. **MARINE PARK** - an area in marine waters appropriately demarcated containing natural marine curiosities reserved by LGU-Malay for public enjoyment by way of permissible recreational activities.
- b. **MARINE CURIOSITIES** - any marine specie and/or natural phenomena adopted to excite interest or inquiry to satisfy ones curiosity or thirst for knowledge.
- c. **ANGOL POINT REEF** - the area approximately 500 m. from North to South of the reef covering the distance from Lorenzo South Beach Resort to Angol Point.

- d. **TAMBISAAN AND CROCODILE REEF** - the area approximately 500 m. from North to South of the reef to the end of the Beach and North of Tambisaan.
- e. **TULUBHAN REEF** - the area approximately 500 m. perpendicular to the sea from the shoreline, covering the distance from North to South approximately 500 m.
- f. **ILIG-ILIGAN REEF** - the area approximately 500 m. rectangular, starting from the shoreline, North to South of the reef.
- g. **BALINGHAI REEF** - the area approximately 500 m. perpendicular to the sea from the shorelines. A covering distance from Friday's Beach resort to Balinghai area.
- h. **LAPUS-LAPUS REEF** - the area approximately 500 m. rectangular covering the distance from the shoreline North to South.
- i. **SA-ID POINT (BOLABOG) TO SAWANG)**
- j. **PUNTA BUNGA REEF** - an area approximately 500 square meters measured offshore from the high mean water mark of Punta Bunga Beach.
- k. **BUNYUGAN REEF** - an area approximately 500 square meters measured offshore from the high mean water mark of Bunyugan Beach.
- l. **15 SCUBA DIVING SITES AROUND BORACAY ISLAND** - the area approximately 1,000 m. perpendicular to the sea from the shoreline. At a distance of 300 m. along the center, from North to South and West to East and declared by law or ordinance as "off-limit" or prohibited to fishing operations and/or exploitation/utilization marine species.

SECTION 3. - **IDENTIFIED AND DECLARED MARINE PARKS. OFFICIAL DECLARATION OF "ANGOL POINT REEF, TAMBISAAN AND CROCODILE ISLAND REEF, TULUBHAN REEF, ILIG-ILIGAN REEF, BALINGHAI REEF, LAPUS-LAPUS REEF, SAID POINT" (BOLABOG TO SAWANG), PUNTA BUNGA REEF AND BUNYOGAN REEF," AS MARINE PARK.** By virtue of the powers vested by law in the Sangguniang Bayan pursuant to the pertinent provisions of Section 447 (a-1-vi), "Angol Point Reef, Tambisaan and Crocodile Island Reef, Tulubhan Reef, Ilig-iligan Reef, Balinghai Reef, Lapus-lapus Reef, Sa-id Point" (Bolabog to Sawang), Punta Bunga Reef, Bunyogan Reef and 15 Scuba Diving Sites around Boracay Island located within the Municipal waters of this Municipality are identified and declared as Marine Parks. Proper demarcations shall be installed, area of each shall be based on the defined parameters provided by Section 2 of this ordinance.

SECTION 4. - **PERMISSIBLE TOURISM MARINE RECREATIONAL ACTIVITIES. MARINE PARKS.** Only snorkeling and diving activities for sightseeing and/or viewing purposes shall be permissible within the perimeters of the identified marine parks. All other forms or types of fishing and/or methods of marine specie capture and utilization of the marine park are strictly prohibited.

SECTION 5. - **PENALTIES.** Violation of any or all of the foregoing provisions of this Ordinance shall subject the offender a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00) and/or imprisonment of not less than three (3) months but in no case more than six (6) months or both at the discretion of the court. Outright impounding of the fishing vessel and fishing paraphernalia used and confiscation of the fish catch and/or other marine products collected shall likewise be made.

SECTION 6. - **AMENDMENTS.** All ordinances, rules and regulations, or parts thereof, provisions of which are in conflict with, or contrary to, the provisions of this ordinance are hereby amended, or modified accordingly.

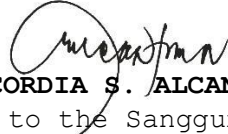
SECTION 7. - **EFFECTIVITY.** This ordinance shall take effect upon its approval and proper publication.

ENACTED. JANUARY 28, 2009.

APPROVED. MARCH 4, 2009.

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I HEREBY CERTIFY to the correctness of the afore-quoted Municipal Ordinance.



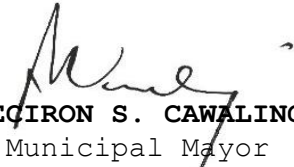
CONCORDIA S. ALCANTARA
Secretary to the Sangguniang Bayan

ATTESTED:



ROWEN T. AGUIRRE
SB Member
Acting Presiding Officer

APPROVED:


CECIRON S. CAWALING
Municipal Mayor

APPROVED: SP RESOLUTION NO. 2009-207, dtd. 8-13-09

