



# Sangguniang Panlalawigan

BATAAN CAPITOL, BALANGA CITY



EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF BATAAN HELD AT THE BUNKER, CAPITOL COMPOUND, BALANGA CITY, BATAAN ON DECEMBER 14, 2020

**PRESENT:**

Hon. Ma. Cristina M. Garcia, Vice Governor and Presiding Officer

**FIRST DISTRICT:**

- Hon. Jomar L. Gaza J.D., Board Member
- Hon. Reynaldo T. Ibe, Jr., Board Member
- Hon. Godofredo B. Galicia, Jr., M.D., Board Member
- Hon. Maria Khristine G. Dela Fuente, Board Member

**SECOND DISTRICT:**

- Hon. Maria Margarita R. Roque, Board Member
- Hon. Manuel N. Beltran, Board Member
- Hon. Edgardo P. Calimbas, Board Member
- Hon. Jose C. Villapando, Sr., Board Member
- Hon. Romano L. Del Rosario, Board Member
- Hon. Noel Joseph L. Valdecañas, Board Member (PCL President)
- Hon. Precious D. Manuel, Board Member (SKF President)
- Hon. Rosita N. Sison, Board Member (IPM Representative)

**ABSENT:**

- Hon. Benjamin C. Serrano, Jr., Board Member (Excused)
- Hon. Doroteo M. Austria, Board Member (FABC President) (Excused)

**PROVINCIAL ORDINANCE NO. 18  
Series of 2020**

**THE TOURISM CODE OF THE PROVINCE OF BATAAN**

Sponsored by: Hon. Romano L. Del Rosario

**WHEREAS**, Republic Act (R.A.) No. 9593, *An Act Declaring a National Policy for Tourism as an Engine of Investment, Employment, Growth and National Development, and Strengthening the Department of Tourism and its Attached Agencies to effectively and efficiently implement that policy, and appropriating funds thereof*, otherwise known as the Tourism Act of 2009, provides for the Shared Responsibilities of the National and Local Government Units with regard to tourism development, to wit:

ALBERT S. GARCIA  
Provincial Governor

**"EXCELLENT PUBLIC SERVICE TOWARDS A BETTER QUALITY OF LIFE FOR ALL"**

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SANGGUNIANG PANLALAWIGAN  
CAPITOL BATAAN  
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RECORDS DIVISION  
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Sec. 35. Coordination between National and Local Governments. - In view of the urgent need to develop a national strategy for tourism development while giving due regard to the principle of local autonomy, the Department (of Tourism), the Department of Interior and Local Government Unit (DILG) and Local Government Units (LGUs) shall integrate and coordinate local and national plans for tourism development. The Department may provide financial and technical assistance, training and other capacity-building measures to LGUs for the preparation, implementation and monitoring of their tourism development plans, gathering of statistical data, and enforcement of tourism laws and regulations, giving due priority to areas that have been identified as strategic in the implementation of the national tourism development plan. LGUs shall ensure the implementation of such plans. The Department, the Tourism Promotion Board (TPB) and the Tourism Infrastructure and Enterprise Zone Authority (TIEZA) shall prioritize promotion and development assistance for LGUs which successfully adopt and implement their tourism development plans.

Sec. 36. National Tourism Development Planning. - The Department, in coordination with its attached agencies, LGUs and the private sector, shall continuously update the existing national tourism development plan in view of evolving needs and capabilities of LGUs and the domestic and global tourism market.<sup>1</sup>

**WHEREAS**, as explicitly stated in Sec. 37 of the Tourism Act of 2009, it is the mandate for all government units to ensure the preparation and implementation of a tourism development plan, the enforcement of standards and the collection of statistical data for tourism purposes. They shall, insofar as practicable, prepare local tourism development plans that integrate zoning, land use, infrastructure development, the national system of standards for tourism enterprises, heritage and environmental protection imperatives in a manner that encourages sustainable tourism development.

**WHEREAS**, all succeeding issuances and orders are supplemental to the goals and policies embraced in the Tourism Act of 2009 - geared to develop tourism enterprises, with its attendant facilities, services, infrastructures, environmental protection awareness and taking into account a balanced economic, socio-cultural aspect of tourism development. The enactment of the Tourism Code of the Province of Bataan is therefore of vital importance to vigorously pursue our Local Chief Executive's vision of excellence and inclusive quality growth that is efficient, rapid, inclusive, and sustainable and resilient, to foster economic growth, employment, development and progress for its people. Thereupon, attractions, destinations, events, activities, festivals and products will be developed and utilized as a vehicle for prosperity and inclusive growth, as embodied in Section 17 (b) (3) (xii) of the Local Government Code of 1991 (R.A. 7160) and in accordance with the relevant Environmental Laws, Indigenous Peoples' Rights Act of 1997 (R.A. 8371), E-Nipas Act (R.A. 11038), and the National Cultural Heritage Act (R.A. 10066).

**WHEREAS**, in compliance with the provisions of the Local Government Code of 1991 on the devolution of functions, the Department of Tourism had transferred its licensing and regulatory powers over the operations and maintenance of tourism and tourism-related establishments (resorts, hotels, tourist inns, apartment hotels, professional congress organizers) and travel agencies to the LGUs.

<sup>1</sup> Secs. 35-36, Subchapter II-E of R.A. No. 9593, or the Tourism Act of 2009.

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**WHEREAS**, due to the said changes in licensing authority of the aforementioned government entities, coupled with other undertakings and relevant memoranda of agreement and taking into consideration the intentions of the Local Government Code of 1991, there is a need to enact an ordinance to govern these matters.

**NOW THEREFORE**, foregoing premises considered, the Sangguniang Panlalawigan of the Province of Bataan in a regular session assembled, hereby ordains that:

**ARTICLE I**

**THE POLICY AND OPERATING PRINCIPLES OF THE CODE**

**SECTION 1. TITLE.** This Ordinance shall be known and cited as **"The Tourism Code of the Province of Bataan."**

**SECTION 2. DECLARATION OF POLICY.** It is hereby declared the policy of the Province of Bataan to become a world-class tourist destination anchored on balanced conservation and development of eco-tourism thereby maintaining ecological integrity, protection of culture, arts and heritage as guided by the virtues of caring for the protection of people and environment; promotion of peace, and sustaining economic growth and progress leading to its vision that by 2020, Bataan will have the lowest poverty incidence resulting from quality growth attaining top level Human Development Index in the Philippines.

For this purpose, Bataan aims to:

- a) Conserve, restore and preserve the natural environment of the province including its biodiversity, culture and natural endowments, provincial history and historical sites;
- b) Recognize sustainable tourism development essential/fundamental to the socio - economic development efforts to improve the quality of life of Bataeños, generate investments and job opportunities and to foster positive environmental impact on host communities;
- c) Ensure that all tourism programs, projects, activities and plans shall reflect positive and Filipino values especially that of **Maka-Maylikha, Makatao, Maka-Kalikasan, Makabansa, Masayahin, May-Bayanihan at May-Pagasa** thereby strengthening the province's appeal as a tourism destination eventually paving the way for other benefits;
- d) Encourage private sector/peoples organization's participation for development and preservation of rural life.

**SECTION 3. OBJECTIVES.** Pursuant to the declaration of policies above, the Province of Bataan hereby adopts the following objectives:

- a) Develop a provincial tourism development plan and work for its adoption and implementation by local governments;
- b) Encourage activities and programs which promote tourism awareness, preserve the province's culture and heritage, and instill a sense of history and culture of tourism among the general population;
- c) Ensure that tourism development respect the cultural sensitivities and rights of host communities by protecting and promoting the general well-being of, including monitoring and prevention of any act of profiteering or speculation to the detriment of local residents, as well as the exploitation of women and children in the industry;

  
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- d) Encourage competition in the tourism industry and maximize consumer choice by enhancing the continued viability of travel and tour operation;
- e) Enhance the collection, analysis and dissemination of data which accurately measure the economic and social impact of tourism in the country to facilitate planning in the public and private sectors;
- f) Ensure the right of the people to a balanced and healthful ecology through the promotion of activities geared towards environmental protection, conservation and restoration;
- g) Develop responsible tourism as a strategy for environmentally sound and community participatory tourism programs, enlisting the participation of local communities, including indigenous peoples, in conserving bio-physical and cultural diversity, promoting environmental understanding and education, providing assistance in the determination of ecotourism sites and ensuring full enjoyment of the benefits of tourism by the concerned communities;
- h) Strengthen the role of Tourism Councils as well as the Culture and Arts Councils and encourage the participation of non-government organizations (NGOs), people's organizations (POs), civil society organizations (CSOs) and the private sector in initiating programs for tourism development and environmental protection;
- i) Achieve a balance in tourism development in order to spread the benefits of tourism and contribute to poverty alleviation and to have better access to infrastructure;
- j) Enhance capability-building of LGUs, in partnership with the private sector, in the management of local tourism projects and initiatives, thereby ensuring accessible and affordable destinations throughout the province;
- k) Attain international standards of excellence in all tourism facilities and services, and promote the province as a safe tourist destination;
- l) Enhance business relations for the support of tourism projects in the private sector through partnerships, joint ventures and other cooperative undertakings involving local and foreign investors;
- m) Support and encourage the establishment of tourism enterprise zones (TEZs), which will provide the necessary vehicle to coordinate actions of the public and private sectors to address development barriers, attract and focus investment on specific geographic areas and upgrade product and service quality;
- n) Ensure a sustainable funding mechanism for the implementation of tourism policies, plans, programs, projects and activities;
- o) Encourage sustainable green practices among tourism and tourism-related establishments; and
- p) Ensure a resilient tourism industry.

**SECTION 4. OPERATING PRINCIPLES.** The formulation and implementation of directives, rules, regulations and policies on tourism shall be guided by the following principles:

- a) Harmonization of all laws, rules and regulations of national and local government units to carry into effect the program thrust of the tourism industry;
- b) Partnership with concerned agencies, LGUs and private sector in the development, improvement and management of tourism destinations;
- c) Collaboration among the academe and technical vocational institutions to enhance the capabilities of local human resources to meet the needs of the industry;

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- d) Development plans should conform to the environmental laws and ordinances and aligned with the thrust of the Department of Tourism;
- e) Improving the quality of tourism products and services paving way to a transparent marketing and promotion strategy.

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**ARTICLE II**

**COVERAGE, SCOPE AND DEFINITION OF TERMS**

**SECTION 5. COVERAGE.** Ordinances, plans and activities within the territorial jurisdiction of Bataan, including its units and all political subdivisions shall be in accordance with this Code.

**SECTION 6. SCOPE.** The provisions of this Code shall apply to all LGUs, agencies and instrumentalities, NGOs, businesses and establishments for tourism and to persons, whether natural or juridical, directly or indirectly involved in the tourism industry within the Province.

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**SECTION 7. DEFINITION OF TERMS.** For the purposes of this Code, the following shall mean:

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- a) *Accreditation* - a certification given that the service provider is recognized as having complied with the standards required by the Department of Tourism (DOT) in the operation of tourist establishments and facilities concerned following the minimum accreditation standards of DOT and other accrediting agencies in accordance with the Tourism Code of 2009;
- b) *Ancestral Domains* - refer to all areas generally belonging to ICCs/IPs (Indigenous Cultural Communities/Indigenous Peoples) comprising lands, inland waters, coastal areas, and natural resources therein, held under a claim of ownership, occupied or possessed by ICCs/IPs, by themselves or through their ancestors, communally or individually since time immemorial, continuously to the present except when interrupted by war, force majeure or displacement by force, deceit, stealth or as a consequence of government projects or any other voluntary dealings entered into by government and private individuals/corporations, and which are necessary to ensure their economic, social and cultural welfare. It shall include ancestral lands, forests, pasture, residential, agricultural, and other lands individually owned whether alienable and disposable or otherwise, hunting grounds, burial grounds, worship areas, bodies of water, mineral and other natural resources, and lands which may no longer be exclusively occupied by ICCs/IPs but from which they traditionally had access to for their subsistence and traditional activities, particularly the home ranges of ICCs/IPs who are still nomadic and/or shifting cultivators (as adopted from R.A. 8371). For the purpose of this Code, ICCs/IPs primarily refers to the Ambala and Magbukon Aeta communities;
- c) *Apartment Hotel (Apartelle)* - Any building or edifice containing independent and furnished or semi-furnished apartments regularly leased to tourist and travellers for occupancy on a long-term basis and offering cooking facilities to its tenants;

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- d) *Association* – an organization of persons having tourism as a common interest;
- e) *Bird guide* - an individual accredited by the DOT to guide birders and bird watchers;
- f) *Buffer zones* - are identified areas of Department of Environment and Natural Resources (DENR) outside the boundaries of and immediately adjacent to designated protected areas that need special development control in order to avoid or minimize harm to the protected area, in accordance with R.A. 7586 (as amended by R.A. 11038);
- g) *Business Continuity Plan* - is a set of actions established by a company to make sure it can protect its personnel and assets and keep its operations going and able to function in case of a natural disaster, terrorist attack, or any other catastrophic event;
- h) *Certificate of Non-Coverage* - refers to the document issued by the DENR stating that the proposed project is not covered by the Environmental Impact Assessment System, therefore, the proponent is not required to secure an Environmental Compliance Certificate (ECC) prior to commencement of operation. However, the issuance of this certificate shall not exempt the grantee from compliance with applicable environmental laws, rules and regulations including permitting requirements of other government agencies (as adopted from DENR Administrative Order 2003-30);
- i) *Certificate of Public Convenience (CPC)* - is the franchise issued by MARINA and LTFRB to a vessel/transportation authorizing it to operate as a domestic water/land transportation service for commercial and public use, pursuant to the Public Service Act;
- j) *Firm/Establishment* - refers to any legitimate commercial entity that is engaged in the business of tourism;
- k) *Environmental Compliance Certificate (ECC)* - a document issued by the DENR/EMB after a positive review of an ECC application, certifying that based on the representations of the proponent, the proposed project or undertaking will not cause significant negative environmental impact. The ECC also certifies that the proponent has complied with all the requirements of the Environmental Impact Statement (EIS) System and has committed to implement its approved Environmental Management Plan (EMP). The ECC contains specific measures and conditions that the project proponent has to undertake before and during the operation of a project, and in some cases, during the project's abandonment phase to mitigate identified environmental impacts (as adopted from DENR Administrative Order 2003-30);
- l) *Ecoguide* - an individual accredited by the DOT who guides visitors and interprets the natural and cultural history of an ecotourism site or destination for a fee, commission or any other form of lawful remuneration;

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- m) *Ecological Tourism or Ecotourism* - refers to a form of sustainable tourism within a natural and cultural heritage area where community participation, protection and management of natural resources, culture 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 (as adopted from DENR Administrative Order 2013-19);
- n) *Homestay* - is a form of tourism where tourists experience living with a Filipino host family to learn from their daily way of life by participating in the host community's distinctive cultural and traditional practices;
- o) *Hotel* - means the building edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation or lodging of travellers and tourists and the provision of services incidental thereof for a fee;
- p) *Inbound Tour* - means a tour to or of the Philippines or any place within the Philippines;
- q) *Indigenous Cultural Community/Indigenous Peoples* - refer to a group of people or homogenous societies identified by self-ascription and ascription by others, who have continuously lived as organized community on communally bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, became historically differentiated from the majority of Filipinos. ICCs/IPs shall likewise include peoples who are regarded as indigenous on account of their descent from the populations which inhabited the country, at the time of conquest or colonization, or at the time of inroads of non-indigenous religions and cultures, or the establishment of present state boundaries, who retain some or all of their own social, economic, cultural and political institutions, but who may have been displaced from their traditional domains or who may have resettled outside their ancestral domains (as adopted from R.A. 11038);
- r) *Indigenous People* - refers to a group of people sharing common bonds of language, customs, traditions and other distinctive cultural traits, and who have, since time immemorial, occupied, possessed and utilized a territory (as adopted from R.A. 11038). For the purposes of this Code, shall primarily refer to the Ambala and Aeta Magbukon Tribe of the province;
- s) *Inn* - A lodging establishment catering to transients which does not meet the minimum requirements of an economy hotel;
- t) *License* - Shall mean the privilege or the authority granted by the office of the Business Permit and Licensing Office to own, operate and maintain a tourist-related establishment and or facility covered by this ordinance;

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- u) *Lifeguard* - refers to men and women possessing life-saving skills (first aid course and basic life-saving and rescue, water safety course and life guarding) as having been well trained by the Philippine Red Cross (PRC) or any training organizations duly certified and accredited by the Philippine Coast Guard (PCG). It shall also refer to a person who supervises the safety and rescue of swimmers, surfers and other water sport participants such as in a swimming pool, water park or beach. They shall be qualified and should have fulfilled the requirements for certification of the PCG (as adopted from PCG Memorandum Circular 03-14);
- v) *Mabuhay Accommodation* - Tourist Inns, Pension Houses, Motels, Bed and Breakfast, Vacation Homes, Hostels and other similar accommodation establishments;
- w) *MARINA* - shall mean the Maritime Industry Authority;
- x) *Motorized Boat/Banca Engaged in Tourist Services* - shall mean a vessel of 20 Gross Tonnage (GRT) and below engaged in providing water transport services including sightseeing and other water-related tourism activities to foreign or domestic tourists for a fee or any form of compensation;
- y) *Motorist Hotel (Motel)* - Any structure with several separate units primarily located along the highway with individual or common parking spaces where motorists may obtain lodging and in some instances meals;
- z) *Municipality* - refers to the different Municipalities of the Province;
- aa) *National Park* - refers to a forest reservation essentially of natural wilderness character which has been withdrawn from settlement, occupancy or any form of exploitation except in conformity with approved management plan and set aside as such exclusively to conserve the area or preserve the scenery, the natural and historic objects, wild animals and plants therein and to provide enjoyment of these features in such areas (as adopted from R.A. 7586);
- bb) *Natural monuments* - a relatively small area focused on protection of small features to protect or preserve nationally and locally significant natural features on account of their special interest or unique characteristics (as adopted R.A. 7586);
- cc) *Natural biotic area* - an area set aside to allow the way of life of societies living in harmony with the environment to adapt to modern technology at their pace (as adopted from R.A. 7586);
- dd) *Natural Park* - a relatively large area not materially altered by human activity where extractive resource uses are not allowed and maintained to protect outstanding natural and scenic areas of national or international significance for scientific, educational and recreational use (as adopted R.A. 7586);

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- ee) *Expanded National Integrated Protected Areas System (E-NIPAS)* - is the classification and administration of all designated protected areas to maintain essential ecological processes and life-support systems, to preserve genetic diversity, to ensure sustainable use of resources found therein, and to maintain their natural conditions to the greatest extent possible (as adopted from R.A. 11038);
- ff) *Outbound Tour* - Means a tour to any other places outside the Philippines;
- gg) *PAMB* - Protected Area Management Board;
- hh) *Pension house* - Private or family-operated tourist establishments regularly catering to tourists and/or travellers containing not more than twelve (12) independent lettable rooms where meals are provided for guests;
- ii) *Pollution Control Officer* - a technical person competent in pollution control and environmental management, performing the duties and responsibilities in a particular establishment and officially accredited by the Environmental Management Bureau Regional Office to perform such responsibilities (as adopted from DENR Administrative Order 2014-02);
- jj) *Meetings, Incentives, Conferencing and Exhibits (MICE) Organizers/Special Events Organizers* - an entity which may either be a sole proprietorship, partnership or corporation extending to individuals or groups such services pertaining to the management organization and or conduct of conventions, congress, seminars, symposia, exhibitions and other special events and/or activities;
- kk) *Protected Area* - refers to identified portions of land and water set aside by reason of their unique physical and biological significance, managed to enhance biological diversity and protected against destructive human exploitation (as adopted from R.A. 11038);
- ll) *Protected landscapes/seascapes* - are areas of national significance which are characterized by the harmonious interaction of man and land while providing opportunities for public enjoyment through the recreation and tourism within the normal lifestyle and economic activity of these areas (as adopted from R.A. 11038);
- mm) *Resorts* - Any place situated and anchored on a natural setting such as rivers, lakes, mountains, beaches, hillside or bayside offering food, accommodation and nature-based activities and recreational facilities for a fee;
- nn) *Resource reserve* - is an extensive and relatively isolated and uninhabited area normally with difficult access designated as such to protect natural resources of the area for future use and prevent or contain development activities that could affect the resource pending the establishment of objectives which are based upon appropriate knowledge and planning (as adopted from R.A. 11038);

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- oo) *Restaurants* - Any commercial establishments offering to the public meals, beverages and drinks;
- pp) *Safety Officer* - are responsible for monitoring activities in the workplace and ensuring that nobody is violating safety regulations. The essential aim of their job is to minimize occupational injuries, accidents, and health problems;
- qq) *Shop* - A retail establishments offering specific lines of goods and services;
- rr) *Sports And Recreational Facilities* - These include swimming pools, bowling lanes, tennis courts, pelota or squash courts, golf courses, riding range, aquatic/water sports facilities, fishing, water skiing and similar facilities forming part of a property;
- ss) *Strict nature reserve* - is an area possessing some outstanding ecosystem, features and/or species of flora and fauna of national scientific importance maintained to protect nature and maintain processes in an undisturbed state in order to have ecologically representative examples of the natural environment available for scientific study, environmental monitoring, education, and for the maintenance of genetic resources in a dynamic and evolutionary state (as adopted from R.A. 7586);
- tt) *Special Permit (SP)/Provisional Authority (PA)* - is the temporary permit issued by MARINA to a vessel to operate a liner or service, pending the issuance of Certificate of Public Convenience;
- uu) *Souvenir Shop/Pasalubong Center* - any licensed commercial establishment which can either be a single proprietorship, partnership or corporation offering souvenir items, handicraft and local delicacies;
- vv) *Tenured migrant communities* - are communities within protected areas which have actually and continuously occupied such areas for five (5) years before the designation of the same as protected areas in accordance with E-NIPAS Act and are solely dependent therein for subsistence (as adopted from R.A. 11038);
- ww) *Tour Operator* - a commercial entity licensed by the City/Municipality to extend services pertaining to packaging, organizing, handling and conduct of tours, arrangements of booking for transportation, accommodation, tour guides and other related services incidental to the conduct of said tours;
- xx) *Tour Guides* - an individual accredited by the DOT to guide tourists for a fee;
- yy) *Tourism Enterprises* - this covers the establishment of facilities, services and attractions involved in tourism such as but not limited to travel and tour services, tourist transport services whether by land, sea and air transportation, tour guides, adventure sports services involving such sports as mountaineering, spelunking, scuba diving and other sports activities of significant tourism potential, convention organizers,

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accommodation establishments including but not limited to hotels, resorts, apartelles, tourist inns, motels, pension houses and homestay operators, tourism estate management services, restaurants, shops and department stores, sports and recreational centers, spas, museums and galleries, theme parks, convention centers and zoos (as adopted from R.A. 9593);

- zz) *Tourist Transport Operator* - An entity that may either be a single proprietorship, partnership or corporation extending to individuals or groups such services pertaining to tourist transportation;
- aaa) *Travel Agency* - A commercial enterprise where a traveller can secure information and expertise, get partial or impartial counselling and make arrangements to travel by air, sea or land to any point of the world;
- bbb) *Travel And Tour Agency* - A licensed commercial entity extending services pertaining to tours and its various components and travel arrangements to any points in the world;
- ccc) *Wetlands* - refers to a wide variety of inland habitats such as marshes, peat lands, floodplains, rivers and lakes, and coastal areas such as salt marshes, mangroves, intertidal mudflats and sea grass beds, and also coral reefs and other marine areas no deeper than six (6) meters at low tide, as well as human-made wetlands such as dams, reservoirs, rice paddies and wastewater treatment ponds and lagoons (as adopted from R.A. 11038);
- ddd) *Wildlife sanctuary* - comprises an area which assures the natural conditions necessary to protect nationally significant species, groups of species, biotic communities or physical features of the environment where these may require specific human manipulations for their perpetuation (as adopted from R.A. 11038).

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**ARTICLE III**

**TOURISM INFRASTRUCTURE**

**SECTION 8. PHYSICAL INFRASTRUCTURES.** Private stakeholders, national and local agencies shall promote and encourage the construction of tourism and tourism related establishments and facilities either through public or private funding, or both, in the Province of Bataan.

- a) Where applicable, enhance land, air and sea travel connecting to tourist destinations through construction and expansion of adequate road networks and terminals;
- b) Implement and ensure compliance to guidelines, rules, and regulations through national and local government agencies in accordance with DOT standards in the construction of appropriate and adequate accommodation facilities as well as pasalubong and shopping centers, restaurants, health care centers, emergency and safety facilities, recreation and entertainment establishments conforming to the unified design and the Philippine Disaster Risk Reduction and Management Act of 2010 (R.A. 10121) and Climate Change Act of 2009 (R.A. 9729);

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- c) Implement the B.P. 344, Accessibility Law, to existing and upcoming tourism-related establishments and facilities by ensuring these establishments and facilities are designed to enhance the mobility of persons with disabilities such as sidewalks, ramps, railings and grab bars;
- d) Enhance the provision of basic utilities such as water (including drinking fountains), energy and power as well as communication facilities based on carrying capacity of a tourist destination;
- e) Implement local ordinance on Comfort Room Regulations to conform with global standards (Provincial Ordinance No. 15 s. 2020);
- f) Implement an integrated solid waste and sewerage management system in tourist destinations and zones, that is adequate and functioning, and in compliance with existing laws and ordinances on environment;
- g) Improve transportation services for tourist use;
- h) Explore and develop potential tourism destinations and sites and encourage active community-based tourism events, endeavors and undertakings;
- i) Encourage the establishment of one-stop-shops and one-town-one-product to be participated in by all municipalities, showcasing while complementing their respective products;
- j) Establish, in collaboration with component local government units, tourism information and assistance centers within the tourism circuit/loop, including ports of entry, which shall prioritize the promotion of provincial-owned, provincial-operated or provincial-sponsored tourist destinations and activities, among others; and
- k) Encourage the inclusion of Ambala and Aeta Magbukon culture and heritage in the promotion of tourism sites in accordance with the National Cultural Heritage Act of 2009.

**SECTION 9. REQUIREMENTS FOR INFRASTRUCTURE DEVELOPMENT.** The following are the requirements/documents/permit that must be secured for tourism and tourism-related infrastructure development:

**A. Foreshore Lease Application**

Section 14 of DENR DAO No. 99-34 list the following requirements in the preparation of a foreshore lease contract with the DENR:

1. Original copy of the Official Receipt of the Application fee;
2. Approved plan and technical description of the land applied for;
3. Consent of the spouse, if married;
4. Articles of Incorporation and Certificate of Registration from the Securities and Exchange Commission, if a corporation;
5. Certification that the land applied for is not needed for public use from the heads of the following agencies/offices:
  - a. Provincial Tourism Office if the area is less than 5 hectares or the Department of Tourism Region 3 Regional Director if the area is 5 hectares or more. Site Development Plan is an additional document required by the Tourism Office;
  - b. Philippine Ports Authority;
  - c. Department of Public Works and Highways District Engineer;
  - d. Environmental Compliance Certificate or Certificate of Non-Coverage from EMB;
  - e. Feasibility study stating among others the financial and technical capability to undertake the project.

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B. Special Forest Land Use Agreement for Tourism Purposes (For Beach Areas)

DENR DAO No. 2004-28 list the following requirements in the preparation For Special Forest Land Use Agreement for Tourism Purposes (FLAgT):

- A. Duly accomplished application form;
- B. An indicative development plan;
- C. For areas covered by specific laws or by co-management scheme, clearance/authorization from the appropriate governing body/authority.

C. Compliance to Environmental Laws and Regulation covered by the Environmental Management Bureau, including the following:

- 1. P.D. 1586 (Environmental Impact Statement System), Establishing An Environmental Impact Statement System, Including Other Environmental Management Related Measures And For Other Purposes, particularly the following provision:

Section 4. Presidential Proclamation of Environmentally Critical Areas and Projects. The President of the Philippines may, on his own initiative or upon recommendation of the National Environmental Protection Council, by proclamation declare certain projects, undertakings or areas in the country as environmentally critical. No person, partnership or corporation shall undertake or operate any such declared environmentally critical project or area without first securing an Environmental Compliance Certificate issued by the President or his duly authorized representative.

- 2. R.A. 8749 (Philippine Clean Air Act of 1999), An Act Providing for A Comprehensive Air Pollution Control Policy and for Other Purposes
- 3. R.A. 9275 (Philippine Clean Water Act of 2004), An Act Providing For A Comprehensive Water Quality Management and For Other Purposes specifically Section 27, Prohibited Acts, particularly the following:

- a) Discharging, depositing or causing to be deposited material of any kind directly or indirectly into the water bodies or along the margins of any surface water, where, the same shall be liable to be washed into such surface water, either by tide action or by storm, floods or otherwise, which could cause water pollution or impede natural flow in the water body;
- b) Disposal of potentially infectious medical waste into sea water by vessels;
- c) Discharging regulated water pollutants without the valid required discharge permit;
- d) Refusal to allow entry, inspection; and
- e) Refusal to allow access to relevant reports and records;
- f) Refusal or failure to submit reports;
- g) Refusal or failure to designate pollution control officers.

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- 4. R.A. 6969 (Toxic Substances and Hazardous and Nuclear Waste Control Act), An Act To Control Toxic Substances and Hazardous And Nuclear Wastes, Providing Penalties For Violations Thereof, and For Other Purposes;
- 5. R.A. 9003 (Ecological Solid Waste Management Act of 2000), An Act Providing For An Ecological Solid Waste Management Program, Creating The Necessary Institutional Mechanisms And Incentives, Declaring Certain Acts Prohibited And Providing Penalties, Appropriating Funds therefore, and for Other Purposes, particularly the provisions on segregation at source;
- 6. R.A. 8371, Indigenous People's Rights Act of 1997, An Act To Recognize, Protect And Promote The Rights Of Indigenous Cultural Communities/Indigenous People, Creating A National Commission Of Indigenous People, Establishing Implementing Mechanisms, Appropriating Funds Therefore, and For Other Purposes.

**SECTION 10. CULTURAL INFRASTRUCTURES.** NGOs, private stakeholders, national and local agencies shall promote, encourage and support the local festivals and activities that highlight and showcase the identity of the Province of Bataan, the cultural and historical values and the construction of local museums, historical markers, landmarks and facilities either through public or private funding, or both, in the province.

**SECTION 11. HUMAN RESOURCES INFRASTRUCTURE.** Each municipality/city in the province must have a Tourism Office that shall review and recommend to the City/Municipal Mayor for approval the application of any person, partnership or corporation or other entity that will maintain, operate or engage in the business of or related to tourism within the territorial limits of Bataan, to administer and carry the general requirements of the ordinance and be responsible to the City/Municipal Mayor, monitor and make policy adjustments to meet the changing consumer demands, globalization, human mobility and technological innovations.

The city and municipalities shall have a permanent position for a tourism officer or tourism operations officer. He or she shall be responsible for preparing, implementing and updating local tourism development plans, and enforcing tourism laws, rules and regulations. In the performance of his or her functions, the tourism officer shall coordinate with the Provincial Tourism Office.

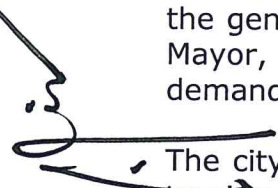
Trainings and programs offered and facilitated by or in cooperation with the DOT, DTI, DENR, and other such national and local government and non-government agencies, shall aim to achieve high quality public services, by initiating and organizing training awareness information dissemination and programs to local communities and stakeholders to capacitate the tourism industry workers, such as, but not limited to:

- 1) Tourism Frontliners Trainings, for introduction of modules for frontline tourism services like food service, accommodation services and service excellence in tourism;
- 2) Training on Livelihood Programs;
- 3) Tourism Enhancement Trainings on Eco-Guiding, Cultural and Bird Guiding Trainings, and the like.

  
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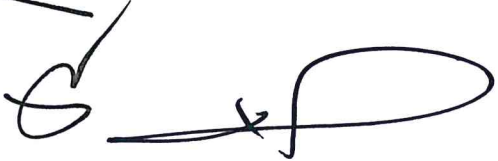
























**SECTION 12. GOVERNANCE INFRASTRUCTURE.** The Bataan tourism industry is governed by national and local laws, rules, regulations and memorandums issued by the governing bodies pursuant thereto. Local government units shall issue resolutions and ordinances on tourism pursuant to the provisions of the Local Government Code of 1991 and the Tourism Act of 2009 that will further enhance the tourism activities in the province.

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**ARTICLE IV  
PROVINCIAL TOURISM OFFICE**

**SECTION 13. PROVINCIAL TOURISM OFFICE.** The Provincial Tourism Office was created by virtue of Provincial Ordinance No. 18 as embodied and approved under Resolution No. 335 dated Nov. 18, 1997 with the status of a Department.

The Provincial Tourism Office shall be the planning, promotion and implementing arm of the Province with regard to programs, policies and projects relating to the tourism industry in the province. It shall monitor compliance of tourism and tourism related establishments to the standards set by the Department. It shall also be responsible for the collection of relevant data and information as well as the marketing and promotion of the province. The Provincial Tourism shall likewise function in accordance with the following provisions of the Tourism Act of 2009, to wit:

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**SECTION 37. Local Tourism Development Planning.** - LGUs, in consultation with stakeholders, are encouraged to utilize their powers under Republic Act No. 7160, otherwise known as the Local Government Code of 1991, to ensure the preparation and implementation of a tourism development plan, the enforcement of standards and the collection of statistical data for tourism purposes. They shall, insofar as practicable, prepare local tourism development plans that integrate zoning, land use, infrastructure development, the national system of standards for tourism enterprises, heritage and environmental protection imperatives in a manner that encourages sustainable tourism development;

**SECTION 38. Reports.** - In order to monitor the resources of the Department and to ascertain the economic and social impact of tourism, all LGUs shall provide an inventory of all the resources available to the Department for use in the implementation of this Act. They shall likewise periodically report to the Department on the status of tourism plans and programs, tourist arrivals, and tourism enterprises, among others, within their jurisdictions.

**SECTION 14. ORGANIZATIONAL STRUCTURE.** Permanent *plantilla* positions for the Provincial Tourism Office are the following:

Position	Salary Grade
<b>Provincial Tourism Officer</b>	<b>SG - 26</b>
<b>Assistant Provincial Tourism Officer</b>	<b>SG - 24</b>
<b>Administrative Division</b>	
Administrative Officer IV (Administrative Officer II)	SG - 15

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*Mindy de la Cruz*

Administrative Officer II (Administrative Officer I)		SG - 11
Administrative Officer IV	Bookbinder IV	SG - 10
Administrative Assistant III	Computer Operator II	SG - 9
Administrative Assistant II	Clerk IV	SG - 8
Administrative Assistant I	Computer Operator I	SG - 7
Administrative Assistant I	Reproduction Machine Operator	SG - 7
Administrative Aide IV	Driver II	SG - 4
Administrative Aide II	Messenger	SG - 2
Administrative Aide I	Utility Worker I	SG - 1

**Planning and Promotions Division**  
Supervising Tourism Operations Officer

SG - 22

**Planning and Product Development Section**

Senior Tourism Operations Officer	SG - 18
Tourism Operations Officers II	SG - 15
Tourism Operations Officer I	SG - 11
Tourism Operations Officers I	SG - 11
Tourism Operations Assistant	SG - 7

*Trina*

**Marketing and Promotions Section**

Senior Tourism Operations Officer	SG - 18
Tourism Operations Officers II	SG - 15
Tourism Operations Officer I	SG - 11
Receptionist II	SG - 10
Receptionist I	SG - 8

**Standard and Regulations Division**

Supervising Tourism Operations Officer	SG - 22
Senior Tourism Operations Officers	SG - 18
Tourism Operations Officer II	SG - 15
Tourism Operations Officer I	SG - 11

**Culture and Heritage Division**

History, Culture and Arts Section  
Cultural and Arts Officer I  
Cultural and Arts Program Assistant I

Heritage and Preservation Section  
Researcher I  
Research Assistant

Museum and Library Management Section  
Librarian  
Curator

*Armenio*  
*Calderon*

**SECTION 15. FUNCTIONS, ROLES AND RESPONSIBILITIES.** Each division and section in the Provincial Tourism Office will have functions, roles and responsibilities.

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**Provincial Tourism Officer**

- a. Ensures the successful implementation of laws, policies, plans, programs, rules and regulations of the office as well as of the Department;
- b. Reviews information materials prepared by researchers for publication or dissemination;
- c. Reports to the Provincial Governor and coordinates with other government institutions, as well as the private and civil society sectors;
- d. Coordinates with the Department of Tourism in the development of infrastructure requirements supporting tourist areas;
- e. Supervises the information and promotional activities of the office;
- f. The Provincial Tourism Officer or his/her designated personnel will serve as the Secretariat of the Bataan Peninsula Tourism Council Foundation, Inc., Provincial Council for the Culture and the Arts, the Bataan Historical Council and other tourism organizations when deemed necessary;
- g. Performs such other functions, duties and powers as may be directed by the Provincial Governor.

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**Administrative Division**

- a. Supervise the compilation and updating of information of various laws, executive orders, circulars and memorandum pertaining to the industry particularly in the area;
- b. Personnel officer for the provincial tourism office, supervises and processes records of the staff, computes leave credits and develop programs for the staff such as in-house trainings and seminars;
- c. Supply officer. Purchase and keep records of office supplies and materials;
- d. Property custodian. Safeguard office properties and maintenance of such;
- e. Budget preparation and other accounting services;
- f. Maintain a systematic file of all data, reports and materials for future reference.

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**Planning and Promotions Division  
Planning and Product Development Section**

- a. Supervise the compilation and updating of information of various laws, executive orders, circulars and memorandum pertaining to the industry particularly in the area;
- b. Conceptualize and develop new products which will enhance tourism sites and facilities;
- c. Prepare reports, and provincial tourism development plan to provide direction for the development and promotion of tourism;

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- d. Prepare proposals for programs, projects, and activities to be undertaken by the office;
- e. Establish alliances and network with concerned government agencies and institutions to broaden and deepen awareness of tourism research and statistics gathering and compiling of tourism data and the conduct of trainings to capacitate the industry's work force including the following activities:
  - 1) Tourism Frontliner Trainings for introduction of modules for frontliners, food service and accommodation services;
  - 2) Training on Business Continuity Planning;
  - 3) Tourism Enhancement Trainings on Tour Guiding, Eco or Nature Guide Training and Bird Guiding.

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**Marketing and Promotions Section**

- a. Study and evaluate projects for development of travel and tourism in the province particularly in the field of publicity and promotions;
- b. Coordinate with officials from both public and private sectors on projects relating to tourism promotions, beautification, cleanliness and festivities;
- c. Implement social tourism projects such as travel fairs, media exposures and digital promotions;
- d. Gather information and materials for the production of brochures and other information disseminating programs.

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**Standards and Regulations Division**

- a. Conducts studies, examines and evaluates proposals, and endorse said proposals to the concerned national agencies for approval and implementation;
- b. Pre assess the compliance of accommodation establishments to the minimum requirements for accreditation;
- c. Facilitate the conduct of trainings to capacitate the industry's work force including the following:

DOT Trainings under Regular Trainings:

- i. Filipino Brand of Service Excellence Seminar;
- ii. Tour Packages and Delivery Seminar;
- iii. Community Based Tourism Kulinarya/Street food;
- iv. Cultural/Community/Ecotour Guiding;
- v. Tourism Awareness and Capability Building Seminar for LGUs and Stakeholders, Tourism C.O.A.T.S (Checking our Aptitudes in the Typhoon Season)/Crisis Management;

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- vi. Seminar on Disaster Risk Reduction and Management/Safety and Security Training (TOPCOP);
- vii. Protocol and Social Graces;
- viii. Seminar on How to Handle Persons with Disability, Child Safe Tourism, Harmonized Gender and Development Guidelines for Tourism;
- ix. Tourists Drivers as Tourism Frontliners, Tourism Receptionist and Guiding Techniques Seminar (Basic Guiding);
- x. Basic Life Support and First Aide, Basic Water Safety, Lifeguarding;
- xi. Marketing Seminar, Meet Series (Japan, Korea, China).

Under Tourism Industry Skills Program (TISP):

- a) Eco/Cultural /Community Guide Training (7 days);
- b) Tourism Operations and Travel Management/Tour Package Development and Delivery;
- c) Spa and Wellness Tourism;
- d) Filipino Brand of Service Excellence Seminar;
- e) Basic Life Support and First Aide, Basic Water Safety, Lifeguarding, ASI Certification;
- f) Tourist Drivers as Tourism Frontliners;
- g) Business Writing/Communication and Interaction Skill;
- h) Sustainable Diner;
- i) Boatmen as Tourism Frontliners;
- j) HALAL Food preparation for Chefs;
- k) Homestay/Inn keeping;
- l) Product Development on Community Based Tourism;
- m) Technology and Digitalization in Tourism/future of tourism in the 4IR/ E-Commerce and Social Media Marketing;
- n) Foreign Language – Mandarin;
- o) Hybrid Threats Consequence Management Training for Tourism/Crisis and Risk Management;
- p) Cultural Tourism Development Workshop;
- q) Kulinarya – Community Based Tourism;
- r) Fun Farms Orientation Program: Planting the seeds of Agri-Tourism/ Fun farms product development tour guiding and effective customer service;
- s) Tourism Frontliner Trainings for introduction of modules for frontliners, food service and accommodation services;
- t) Training on Business Continuity Planning;
- u) Tourism Enhancement Trainings on Tour Guiding, Eco or Nature Guide Training and Bird guiding;
- v) Capability Training for LGUs.

**Culture and Heritage Division**

History, Culture and Arts Section

This section shall take charge of and lead the projects, programs and activities of the Province pertaining to the preservation and development of Culture and the Arts including traditions of the Ambala and Aeta Magbukon Tribe.

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Heritage and Preservation Section

This section shall take charge of and lead the projects, programs and activities of the Province pertaining to the preservation and restoration of cultural properties, historical landmarks, memorials, monuments and shrines.

Museum and Library Management

This section shall take charge and oversee the management and operations of the Bataan Museum and Library.

**ARTICLE V**  
**TOURISM PLANNING COMMITTEE,**  
**PROVINCIAL COUNCIL FOR CULTURE AND THE ARTS,**  
**BATAAN HISTORICAL COUNCIL AND AFFILIATED ORGANIZATIONS**

**SECTION 16. TOURISM PLANNING COMMITTEE.** A steering committee, created through Executive Order No. 62 Series of 2017, shall be responsible for tourism planning. It has the following functions:

1. Prepare a work plan for the preparation of the Tourism Development Plan;
2. Formulates the Tourism Development Plan;
3. Consult with residents and other stakeholders of tourism areas; and
4. Perform such other functions as may hereafter be issued by the Provincial Governor.

**Composition.** The Committee shall be composed of the following:

- Chairperson: Provincial Governor
- Vice Chairperson: Provincial Tourism Officer
- Members:
- a.) Representatives from the Provincial Government:
    - Provincial Planning and Development Officer;
    - Provincial Environment and Natural Resources Officer;
    - Provincial Legal Officer;
    - Sangguniang Panlalawigan Chairman on Tourism;
    - Provincial Liga ng mga Barangay President;
  - b.) Bataan Mayor's League President;
  - c.) Representatives from the Tourism Organizations:
    - Bataan Peninsula Tourism Council Foundation, Inc. Chairperson;
    - Transport Sector Representative;
    - Bataan Hotel and Restaurant Owners Association President;
    - Morong Hotel, Resort and Restaurant Owners Association President;
    - Bagac Beach Resort Owners Association President;
    - Bataan Peninsula Tourist Guides President;

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*Agustin Caluya*

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*John Cruz*

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Travel Agency Representative;  
Bataan Food and Non-Food Manufacturing  
Incorporated President;  
Bataan Historical Council Chairman.

d.) Representatives from the National Agencies:

Department of Tourism Region III Director;  
Philippine National Police (PNP) Bataan Provincial  
Director;  
Department of Public Works and Highway District 1  
Engineer;  
Department of Public Works and Highway District II  
Engineer;  
Technical Education and Skills Development  
Authority Provincial Director (TESDA).

e.) Representative from the Academe:

Bataan Peninsula State University President.

**SECTION 17. PROVINCIAL COUNCIL FOR CULTURE AND THE ARTS.** Provincial Ordinance No. 03 Series of 2018, entitled "Ordinance Creating and Institutionalizing the Provincial Council for Culture and the Arts (PCCA) for the Promotion, Preservation and Enrichment of Filipino Culture and Arts in the Province of Bataan, Defining its functions, and for other Purposes," mandated the PCCA to formulate, recommend to appropriate agencies in both public and private sector, implement, and evaluate programs which are specifically designed for the preservation and enrichment of Filipino identity and culture and the arts in general, and to familiarize the people with the rich history and heritage of the Province of Bataan, and encourage them to participate in such programs which will develop a unified sense of Filipino identity. The PCCA has the following functions:

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- 1) Prepare an annual plan on culture, arts and cultural heritage consonant with the Philippine Development Plan for Culture and the Arts to be integrated in the Provincial Development Plan and considered in the annual appropriation ordinances;
- 2) Formulate programs and recommendations to develop and sustain local cultural and artistic talents, cultural industries, traditional and contemporary arts and crafts, and their processes;
- 3) Coordinate with the appropriate affiliated cultural agencies of the National Commission for Culture and the Arts (NCCA) for the conservation and monitoring of national cultural properties found in the province;
- 4) Conduct cultural events such as cultural festivals, competition, lectures, seminars and symposia;
- 5) Identify such other programs and activities for the promotion of local heritage and arts;
- 6) Ensure the protection of, preservation, conservation and promotion of the local cultural and historical heritage;
- 7) Declare and maintain Local Cultural Heritage Zones;
- 8) Establish a local registry of Cultural Property;
- 9) Acknowledge the importance of traditional folk artist as singular conduit between skills of the past and the future;
- 10) Revitalize a community's artistic tradition thereby protecting a valuable fact of Philippine Culture;

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- 11) Provide mechanism for identification and assistance for qualified traditional folk artist to transfer their skills to the community;
- 12) Create opportunities for popularizing artistic works locally;
- 13) Formulate, recommend and implement, maintain and sustain policies for the establishment of a Province-owned and operated museum and archival system;
- 14) Encourage and support scholarly research into, and documentation of Philippine cultural traditions, arts and crafts, as well as significant cultural movements, achievements and personalities especially in the literary, visual and performing arts, and in mass media, as well as the various aspects of Filipino culture within the Province; and
- 15) Perform such other functions as the Sangguniang Panlalawigan or Provincial Governor may direct.

**Composition.** The Council shall be composed of the following:

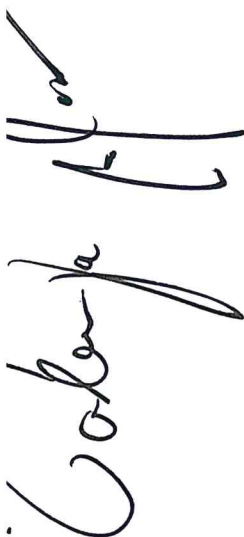
- Chairman: Provincial Governor;
- Members:
- Sangguniang Panlalawigan Committee Chair on Culture and the Arts;
  - Provincial Cultural Officer or equivalent;
  - Provincial Planning and Development Officer;
  - Provincial Information Officer;
  - Provincial Budget Officer;
  - Provincial Tourism Officer;
  - Representative, Department of Education (DepEd Division);
  - Representative, Commission on Higher Education (CHED);
  - Representative, Technical Education and Skills Development Authority (TESDA);
  - Representative, Philippine Information Agency (PIA);
  - Representative, Bataan Peninsula Tourism Council Foundation, Inc.;
  - Representative, Bataan Historical Council;
  - Representative, Local Museum;
  - Representative, Local Artist Group;
  - Representative, Business Sector or Chamber of Commerce;
  - Representative, Professional Sector;
  - Representative, Bataan Peninsula State University;
  - Representative, Youth Sector;
  - Representative, Each from Indigenous Peoples and Cultural Communities in Bataan;
  - Representative, National Commission on Culture and the Arts (NCCA).

**SECTION 18. BATAAN HISTORICAL COUNCIL.** Provincial Ordinance No. 02 Series of 2015 created the Bataan Historical Council which has the following purposes and objectives, to wit:

- 1) To give importance to the historical sites, monuments, shrines, and markers in the province;



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Provincial Governor





- 2) To create historical awareness and patriotism to Bataeños, especially to the youth and the next generation;
- 3) To broaden the knowledge and awareness about research and publication in terms of history, arts and culture of Bataan;
- 4) To provide policies and guidelines for the maintenance, preservation and protection of articles covered by this Ordinance;
- 5) Act as umbrella agency of all local historical councils in the different municipalities/city.

The Bataan Historical Council has the following functions:

- 1) To conduct an inventory of the existing landmarks in the Province and to further validate its historical significance;
- 2) To properly identify places, landmarks, monuments, documents, objects, peoples, artifacts, paraphernalia and the likes which are deemed of historical, cultural and for other significant value;
- 3) Act as effective liaison with line agencies of the government and private entities in collecting data, information, necessary for the protection, maintenance and care of landmarks, places and artifacts of historical value and significance;
- 4) Consolidate books, records, writings, notes and other documents of cultural and historical value and significance;
- 5) Promote and encourage the effective participation of all sectors in the province in the advertisement, protection and care of places and landmarks, places and artifacts of historical value and significance;
- 6) Enunciate the necessary procedure for the inclusion of the history of Bataan Province in the curriculum of primary education;
- 7) Set commemorative activities to celebrate historical events, with national significance in the province;
- 8) Formulate measures and provide information, researches and data which will aid the Sangguniang Panlalawigan and the Provincial Governor in policy making;
- 9) Responsible for the management of records and archival of documents including its authentication, custody and be accountable to the same;
- 10) Perform such other duties and functions.

The Bataan Historical Council shall be composed of the following:

- Honorary Chairperson: Provincial Governor;
- Honorary Vice -Chairperson: Provincial Vice-Governor;
- Chairperson: Governor's Appointee;
- Vice Chairperson: Governor's Appointee;
- Members:
  - Representative, Department of Education Province and DepEd City of Balanga;
  - He and She Club;
  - Representative from NGO;
  - Representative, Bataan Peninsula State University (BPSU);
  - Representative, Veterans Federation of the Philippines;
  - Representative from Bagac;

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Representative from Morong;  
Representative form Dinalupihan;  
Representative from Hermosa;  
Representative from Orani;  
Representative from Samal;  
Representative from Abucay;  
Representative from City of Balanga;  
Representative from Pilar;  
Representative from Orion;  
Representative from Limay;  
Representative from Mariveles.

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Board of Advisers:

DepEd Province;  
DepEd City of Balanga;  
Bataan Peninsula Tourism Council  
Foundation, Inc.;  
Chairman, SP Committee on Tourism;  
Chairman, SP Committee on Education;  
Chairman, SP Committee of Commerce and  
on Transportation;  
Chairman, Bataan Chamber of Commerce  
and Industry (BACCI);  
Prof. Eric Zerrudo;  
Dr. Cornelio Bascara.

Executive Director:

Provincial Administrator;

Project Director:

Provincial Tourism Officer;

Consultants: Representative from the  
National Historical Institute;  
Representative from the Philippine National  
Historical Council;  
Representative from the National Historical  
Commission of the Philippines.

**SECTION 19. AFFILIATED ORGANIZATIONS.** The following are the different tourism organizations in the province:

- a) The BATAAN PENINSULA TOURISM COUNCIL FOUNDATION INC. was incorporated for the following purposes:
  - 1) To develop, upgrade and/or enhance the tourism potentials of the Province of Bataan;
  - 2) To serve as a vehicle in promoting the interest and welfare of member-organizations towards the attainment of common objectives relative to the tourism industry in the Province of Bataan;
  - 3) To take part in the deliberations, considerations and decisions, governmental or otherwise, affecting and having relations direct and indirect, to its members and its objectives;
  - 4) To conduct and manage meetings, conferences and seminars among members or persons or institutions having relations or involvement in the enhancement of the tourism industry in the Province of Bataan.

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Provincial Governor

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b) The BATAAN TOURISM STAKEHOLDERS ASSOCIATION, INC. is an organization composed of tourism stakeholders engaged in Hotel, Resort and Restaurant Operation organized for the following purposes:

- 1) To undertake programs and projects that will upgrade and professionalize the Hotel and Restaurant Industry in Bataan;
- 2) To promote unity and mutual cooperation among those in the industry of Tourism, in order to protect the interest and welfare of the industry;
- 3) To encourage and foster high ethical standards in business resulting to fair and honest competition;
- 4) To act as the official single voice and in behalf of the members in matters of government regulatory policies/laws/rules affecting the industry;
- 5) To exercise dynamic leadership in promoting goodwill, understanding fellowship within the hospitality industry.

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c) The MORONG BEACH RESORTS AND TOURISM STAKEHOLDERS ASSOCIATION, INC. was organized to pursue the role of the "Association" as the single voice organization representing the Morong private sector in the tourism industry;

d) The BAGAC BEACH INLAND RESORT OWNERS ASSOCIATION CORPORATION was formed to coordinate and cooperate with the government in its programs in promoting the highest standard of resort operation and to uplift the standard of living of the members;

e) The BATAAN PENINSULA TOUR GUIDES is an organization of on call guides in Bataan since 2006 thru the supervision/guidance of the Bataan Peninsula Tourism Council Foundation, Inc. and the Provincial Tourism Office who undergo the DOT tour guides' training;

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f) The BATAAN PENINSULA TRAVEL AND TOUR OPERATORS ASSOCIATION is an organization of local travel and tour operators in Bataan organized since 2018 under the assistance of the Provincial Tourism Office;

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g) The BATAAN FOOD AND NON-FOOD MANUFACTURING INCORPORATED was organized in 2012 through the initiative of the Department of Trade and Industry composed of small and medium entrepreneurs and various product manufacturers strengthening their potential in the market and with the goal of helping the emerging business and at the same time contributing to the community in the province.

**ARTICLE VI**  
**TOURISM RESOURCES**

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**SECTION 20. TOURISM RESOURCES.** Tourism resources are natural and man-made attractions, services, and conditions that attract tourists to an area and may contribute to the formulation of a tourism destination and creating a tourism product.

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**SECTION 21. INVENTORY AND CLASSIFICATION OF RESOURCES.** The Provincial Tourism Office in coordination with the LGUs through the Municipal Tourism Offices or Municipal Planning and Development Coordinators shall on a regular basis, make an inventory to identify and classify the resources available that provide opportunities for tourism development.

**SECTION 22. ASSESSMENT OF RESOURCES.** The Provincial Tourism Office shall conduct assessment of resources periodically using the Tourism Rapid Assessment Tool composed of processes involving series of activities that need to be conducted from data gathering to writing the assessment narrative report and the TRA Form which may be physical or digital listing of data that needs to be gathered to generate quantitative and qualitative information on the site's characteristics and values which may serve as input to tourism development planning, policy formulation and promotion.

**SECTION 23. CLASSIFICATION OF TOURISM DESTINATION.** The Provincial Tourism Office and the respective LGUs on a regular basis shall classify tourism attractions based on destination in conformity with DOT standards as potential, existing and emerging.

**SECTION 24. PRIORITIZATION OF TOURISM DESTINATION.** Tourism attractions with higher classification category will be given preferences in the marketing and promotion strategies of the province.

**SECTION 25. PROTECTION AND PRESERVATION.** The Provincial Tourism Office, in coordination with LGUs, shall ensure the protection and preservation of all tourism resources for sustainable development.

**ARTICLE VII**

**ECOTOURISM MANAGEMENT**

**SECTION 26. SCOPE OF POWERS.** The Sangguniang Panlalawigan shall perform related duties and powers that include the regulation of eco-tourism. The provisions under this Article shall be governed by applicable national laws including Presidential Executive Order No. 120 as amended, as to the formulation of strategies for biological diversity; Executive Order No. 111 as to the adoption of ecotourism as the developmental model for sensitive natural and cultural areas; Executive Order No. 247 which prescribes guidelines for the protection of biological and genetic resources; Presidential Decree No. 1152 as to wildlife and forestry protection and soil conservation; E-NIPAS Act; Standard Design and Specifications for Signages and Ecotourism Facilities (DENR DAO No. 2009-09); Guidelines on Ecotourism Planning and Management in Protected Areas (DENR DAO No. 2013-19); Standard and Climate Resilient Design of Protected Area Information Center (BMB Technical Bulletin 2016-03); Rules and Regulations Governing the Use of Forestlands for Tourism Purposes (DENR DAO No. 2004-28) and the Tourism Act of 2009 and other applicable laws and administrative orders.

**ARTICLE VIII**

**TOURISM INVESTMENT**

**SECTION 27. INVESTMENT AND DEVELOPMENT.** The Provincial Government, through the Provincial Tourism Office, shall conform with the provisions stated in the Investment Code of the Province.

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**SECTION 28. INVESTMENTS INCENTIVES.** The LGUs in the Province are hereby encouraged to invite and promote external and internal investments in Local Tourism by way of formulating laws and issuances that provide incentives to investments or encourage tourism investors to be part of the Freeport Area of Bataan (FAB) or Tourism Enterprise Zone for better benefits and incentives.

**SECTION 29. IDENTIFICATION AND ESTABLISHMENT OF TOURISM ENTERPRISE ZONE.** Identification shall be made by the Provincial Tourism Office for endorsement to the Tourism Planning Committee, which shall then recommend these establishments to TIEZA, after reviewing the features and purpose of the tourism enterprise zone intended to be developed pursuant to Section 59-61 of R.A. 9593.

**SECTION 59. Tourism Enterprise Zones.** – Any geographic area with the following characteristics may be designated as a Tourism Enterprise Zone:

- a) The area is capable of being defined into one contiguous territory;
- b) It has historical and cultural significance, environmental beauty, or existing or potential integrated leisure facilities within its bounds or within reasonable distances from it;
- c) It has, or it may have, strategic access through transportation infrastructure, and reasonable connection with utilities infrastructure systems;
- d) It is sufficient in size, such that it may be further utilized for bringing in new investments in tourism establishments and services; and
- e) It is in a strategic location such as to catalyze the socio-economic development of neighboring communities.

**SECTION 60. Designation of TEZs.** – The TIEZA shall designate TEZs, upon the recommendation of any LGU or private entity, or through joint ventures between the public and the private sectors. Such designation shall be subject to the provisions of this Act and to minimum requirements which the TIEZA shall subsequently promulgate. TEZs shall not proliferate in a manner that diminishes their strategic economic and developmental value to the national economy.

**SECTION 61. Development Planning.** – Each application for designation as a TEZ shall be accompanied by a development plan which shall, consistent with principles of economic, cultural and environmentally sustainable development, specifically identify:

- a) Tourism focal points and resources available within the proposed TEZ and adjoining areas;
- b) Features which satisfy the requisites for the designation of a TEZ enumerated under Section 59 of this Act;
- c) Areas for infrastructure development, for investment, and for preservation, as well as the kind of development, nature of investment, or sustainable activities allowed within preserved areas, respectively;
- d) Medium and long-term studies on market trends, and corresponding development strategies for the TEZ;

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- e) Studies on the economic impact of development within the TEZ and in surrounding communities;
- f) Studies on the environmental, cultural and social carrying capacity of the TEZ and surrounding communities;
- g) Design plans for structures which incorporate design and sustainability principles from local architecture and the surrounding environment; and
- h) Such other information that the TIEZA may require.

No TEZ shall be designated without a development plan duly approved by the TIEZA and without the approval, thru a resolution, of the LGU concerned. Any deviation or modification from the development plan shall require the prior authorization of the TIEZA. The TIEZA may cause the suspension of granted incentives and withdrawal of recognition as a TEZ Operator. It may likewise impose reasonable fines and penalties upon TEZ Operators and responsible persons for any failure to properly implement the approved development plan.

Lands identified as part of a TEZ shall qualify for exemption from the coverage of Republic Act No. 7279, otherwise known as the Urban Development and Housing Act of 1992, and Republic Act No. 6657, otherwise known as the Comprehensive Agrarian Reform Law, subject to rules and regulations to be crafted by the TIEZA, the Housing and Urban Development Coordinating Council and the Department of Agrarian Reform:

- a) Cultural Heritage Tourism Zone areas that will allow the tourist to experience the places, artifacts and activities that authentically represent the stories of the people living in the area, past or present. The area may include, but will not be limited to, cultural landscapes; historic sites, areas and precincts; ruins, archaeological and maritime sites; sites associated with industrial, scientific and agricultural heritage; collections that house or collectively promote objects of heritage significance; historic places and areas, including villages, small towns, cities and parts of larger urban areas with significant cultural and heritage assets; museums, art galleries, cultural centers, arts & crafts shops, and antique shops, and cultural sites;
- b) Health and Wellness Tourism Zone - areas that will allow visitors to avail of quality, but affordable mainstream, traditional, or alternative healthcare services for treatment of illnesses and health problems in order to maintain one's health and well-being. The area may include, but will not be limited to, enterprises that are, or offer: medical and allied services; spas; health farms; counseling and rehabilitation services; and traditional Filipino touch therapy;
- c) Ecotourism Zone - areas that will allow visitors to experience a form of sustainable tourism within a given natural and/or cultural area where community participation, conservation and management of biodiversity, respect for culture and indigenous knowledge systems 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. The area may include, but will not be limited to: sites of scenic natural or rural beauty; areas for observing wildlife; areas for low impact activities such as camping, trekking, climbing, spelunking, diving,

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surfing, and other similar activities; and sites for observing and interacting with traditional or indigenous practices in relation to the environment;

- d) General Leisure Tourism Zone areas that may offer recreational facilities that will have high visitor density. The area may include, but will not be limited to: golf parks/resorts; theme parks and amusement centers; convention and meeting centers; sports Complexes/Resorts; event centers/resorts; department stores/restaurants/shops; and zoos;
- e) Mixed-Use Tourism Zone areas that will allow a combination of some or all of the features of the aforementioned zones within one area. Priority shall be given to the tourism enterprise zone to be created that conforms to the Comprehensive Land Use Plan of the cities and municipalities in the Province.

**ARTICLE IX**  
**BUSINESS PERMIT, LICENSING, REQUIREMENTS FOR OPERATION AND MAINTENANCE AND ACCREDITATION**

**SECTION 30. BUSINESS PERMIT AND LICENSE TO OPERATE.** No person, natural or juridical shall keep, manage or operate any building, edifice or premises or a completely independent part thereof for the purpose of engaging in the business of or related to tourism without first having issued a business permit by the Business Permit and Licensing Office of the LGU where it is located. Failure to secure the business permit shall prohibit the entity to operate.

Prior to the issuance of business permit, the tourism establishment must comply with the minimum requirements for the operations and maintenance of tourism oriented/related establishments stated in this Code.

Other requirements include the appointment of a Pollution Control Officer and compliance with Safety Officer certification.

**SECTION 31. REQUIREMENTS FOR OPERATIONS AND MAINTENANCE.** The following are the minimum requirements for the operations and maintenance of tourism oriented/related establishment in the province.

**1. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF GUEST ACCOMMODATION (TOURIST INN, PENSION HOUSE, MOTEL, BED AND BREAKFAST).**

**A. Location and Public Areas**

- 1) Tourist inn and motels must be located along the principal highways or transportation routes and shall be open to business on a twenty-four (24) hour basis;
- 2) The building exterior and surroundings must be clean;
- 3) The business name signage must be visible from the street and at night time;
- 4) There is adequate lighting in all areas;
- 5) All enclosed public areas are well ventilated;
- 6) Enclosed public areas shall maintain a maximum temperature of twenty five (25) degrees Celsius year round;
- 7) The rest room must be clean provided with hand dryer/paper towel and adequate supply of clean water, soap and toilet paper;
- 8) There are waste bins provided in the restroom;

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- 9) Separate Public Restrooms for males and females;  
10) Persons with Disabilities (PWD) Access:
- a. Ramps shall be provided as means of access to level of change going to entry points and entrances, lobbies influenced by condition of location or use;
  - b. Parking areas shall be provided with sufficient space for the disabled persons to allow easy transfer from car park to ingress/egress levels.

**B. Information/Reception Counter or Receiving Area**

- 1) There is an information/reception counter manned by knowledgeable staff for at least twelve (12) hours;
- 2) The reception personnel can converse in Filipino and English;
- 3) All staffs are presentable, clean and tidy in appearance, in uniform and are very well groomed & professional in appearance;
- 4) There is Landline/Mobile Phone or any communication device at the reception area;
- 5) There are comfortable seating areas;
- 6) With Wi-fi access/free internet connections;
- 7) Issuance of Official Receipts;
- 8) There is a porter service/luggage assistance readily offered;
- 9) There is a Luggage Storage Service;
- 10) Check-in/Check-out process not more than 15 minutes;
- 11) Offer welcome drinks or its equivalent;
- 12) Brochures, maps or any similar guide in going around the area available at the reception area;
- 13) There is a Safety Deposit Box at the Reception;
- 14) With potable water and drinking glass.

**C. Bedroom**

- 1) Guest rooms with double locking doors;
- 2) The beds are comfortable with clean mattresses, fresh linens, two (2) soft and firm pillows with cover for every guest and towels that shall be changed regularly;
- 3) Waste bins with cover;
- 4) Minimum of five (5) lettable rooms;
- 5) Smallest Rooms must be at least 12 sq. m. inclusive of toilet & bath;
- 6) There shall be vacuum jugs and thermos flask with drinking water and glasses in each bedroom;
- 7) All rooms are air-conditioned or shall maintain a maximum room temperature of 25 degrees Celsius;
- 8) Rooms shall have adequate natural as well as artificial light and ventilation;
- 9) Cabinets/Closets must be provided with 3 hangers for every guest;
- 10) Full length mirror;
- 11) Power outlet (Sockets) either Type A and B/C provision for plug Adaptor (Electrical outlet/s adaptable of 110 and 220 volts);
- 12) Walls shall be painted or wall-wrapped and kept clean and pleasing to the eye;
- 13) Clean and non-slippery floors with/and appropriate floor covering;
- 14) Windows with appropriate window covering (e.g. curtains, blinds);
- 15) Emergency evacuation/fire exit plans posted in all rooms;

  
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- 16) In-room compendium with information about additional services within the accommodation and/or entertainment/recreation nearby;
- 17) There must be peep hole at the door;
- 18) With free in-room internet connections;
- 19) With any in-room communication device;
- 20) With reading lights/bedside lamps;
- 21) Chair/s and writing desk or table available in room;
- 22) At least 1 PWD Bed room for every 50 up to 150 rooms and shall have the following:
  - a. Lever type door handles;
  - b. Dual height peepholes with the lower one at 39 inches from the floor;
  - c. Light switches at maximum 47 inches from the floor;
  - d. Electrical outlets at a minimum of 18 inches from the floor;
  - e. Bed height at maximum of 20 inches;
  - f. Easy-to-open preferably sliding closet doors;
  - g. Dual height hanger racks with the lower rack at 55 inches from the floor.

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**D. Bathroom**

- 1) There shall be attached bathroom in all bedrooms;
- 2) Clean toilet and bath with adequate supply of clean running water on a 24-hour basis and basic toiletries like soap, shampoo, dental kit and toilet paper;
- 3) Toilet system in good working order;
- 4) Clean bath towel per guest, no stain and no frayed edges;
- 5) Hot and cold water in shower area, 24/7;
- 6) Area to place clothes and ample space for personal toiletries;
- 7) Good space, ability to move freely;
- 8) For shared bathroom, ratio is 1 bathroom for every 4 guests;
- 9) PWD Bathrooms shall have the following:
  - a. Toilet flooring of non-slippery surface materials even when wet;
  - b. Toilet bowls should be positioned where a vertical or climbing bar shall be positioned on the wall at 12 inches from the front tip of the toilet bowl to offer support when users pull or elevate themselves to a standing position;
  - c. Grab bars should be placed on both sides at 28-30 inches from the floor for the safety and effective utility, the distance between the bars not exceeding 30 inches;
  - d. Toilet bowls should be elevated to a range of 18-20 inches from the floor.

**E. Food and Beverage**

- 1) Availability of dining area or room service;
- 2) Kitchen equipped with clean and functional kitchen equipment and utensils;
- 3) Kitchen kept clean, frequent cleaning is evident, no intrusive/foul smell;
- 4) Crockery, Cutlery and Glassware-clean, unchipped and stored in a dry place;
- 5) Room service for a minimum of 12 hours;

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- 6) Room service by tray and with food covered;
- 7) 80% of the Menu is available;
- 8) Menu card with updated price lists;
- 9) Table Napkins provided.

**F. Services and Amenities**

- 1) Regular Cleaning Services;
- 2) Functional CCTV available in strategic areas with a minimum of 30-day recording storage;
- 3) Professional security in place:
  - a. Professional security in place 24 hours at main entry point;
  - b. Property and security services designed to ensure guest safety at all times.
- 4) First Aid Kit (Red Cross prescribed);
- 5) Personnel trained on basic life support;
- 6) Back-up Generator or emergency power, capable of providing full power;
- 7) Refund and Cancellation Policy.

**G. Statutory Requirements**

- 1) Safety systems and documentation in place to respond to possible natural disasters and man-made threats;
- 2) Cleaning schedules in place that show daily, weekly and seasonal cleaning and checking procedures;
- 3) Maintenance plans that show plan to address major areas requiring maintenance;
- 4) Emergency and Fire Evacuation Procedure;
- 5) Risk assessment audit conducted in the last five (5) years that reviews security threats to the property;
- 6) Environmental management system in place to reduce waste with waste reduction targets;
- 7) Environmental systems in place to reduce water with water reduction targets;
- 8) Environmental systems in place to reduce energy with energy reduction targets;
- 9) Vermin and Pest Control Program/Processes to identify and eliminate pest such as rodents, bed bugs, cockroaches etc.;
- 10) Food Safety Procedures in Place;
- 11) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- 12) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs;
- 13) Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

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**2. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF HOTELS.**

**A. Public Areas:**

- 1) The locality and environs including approaches shall be such as are suitable for a good hotel;
- 2) The architectural features and general construction of the building shall be of good standard. (A functional building with good quality materials and efficient lay-out.);
- 3) The hotel name signage must be clearly visible from the street and at night time;
- 4) The building exterior must be in good appearance with good quality decoration and surroundings must be clean;
- 5) Good use of natural lighting or there is good level of illumination throughout all public areas;
- 6) All enclosed public areas are well ventilated and shall maintain a maximum temperature of 20-25 degrees Celsius year round;
- 7) The rest room must be clean provided with hand dryer/paper towel and adequate supply of clean water, soap and toilet paper and designated area for PWD;
- 8) The rest room must have good quality fixtures, standard design with ample space;
- 9) There are waste bins with cover provided in the restroom;
- 10) Separate Public Restrooms for males and females;
- 11) Driveway entrance is clearly marked and is visible at night time;
- 12) PWD Access:
  - a. Ramps shall be provided as means of access to level of change going to entry points and entrances, lobbies influenced by condition of location or use;
  - b. Parking areas shall be provided with sufficient space for the disabled persons to allow easy transfer from car park to ingress/egress levels.

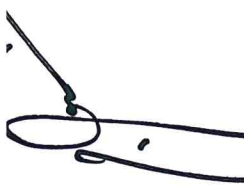
**B. Reception Area:**

- 1) There is an information/reception counter manned by knowledgeable staff for 24 hours;
- 2) Functional reception area for the operation;
- 3) Seating available close by for a small group of not less than 4 guests;
- 4) Basic registration process in place, with prompt service (not more than 10 minutes per guest);
- 5) There is Landline/Mobile Phone or any communication device at the reception area;
- 6) The reception personnel can converse in Filipino and English;
- 7) All staffs are presentable, clean and tidy in appearance, in uniform and are very well groomed, professional in appearance, polite and responsive;
- 8) With Wi-fi access/free internet connection;
- 9) A range of payment options are available. (Cash and Cards);
- 10) Issuance of Official Receipt;
- 11) There is a porter service/luggage assistance;
- 12) There is a Luggage Storage Service;
- 13) Guests must be provided with Official Receipt on departure;

  
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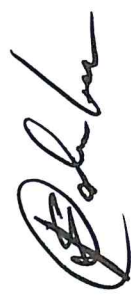


















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- 14) There is a Safety Deposit Box at the Reception;
- 15) Offer welcome drinks or its equivalent;
- 16) Brochures, maps or any similar guide in going around the area available at the reception area;
- 17) Potable water and drinking glass.

**C. Bedroom:**

- 1) Guest rooms with double locking doors;
- 2) The beds are comfortable with clean mattresses, fresh linens of good quality, two soft and firm pillows with covers/protectors for every guest and towels that shall be changed regularly;
- 3) Waste bins with cover;
- 4) Minimum of five (5) lettable rooms;
- 5) Smallest Rooms must be at least 16 sq. m. inclusive of toilet & bath;
- 6) There must be telephone with direct dial;
- 7) Television with functional remote control;
- 8) There shall be vacuum jugs and thermos flask with drinking water and glasses in each bedroom;
- 9) All rooms are air-conditioned, good cooling system and air circulation or shall maintain a maximum room temperature of 20-25 degrees Celsius;
- 10) There must be 3 hangers in the cabinet for every guest;
- 11) Full length mirror;
- 12) Adequate size wardrobe/cabinets/closet with hangers provided;
- 13) Power outlet (Sockets) either Type A and B/C provision for plug Adaptor (Electrical outlet/s adaptable of 110 and 220 volts);
- 14) Clean and non-slippery floors;
- 15) Good quality and condition floor coverings;
- 16) Furniture are in good quality;
- 17) With any in-room communication device;
- 18) Chair/s and writing desk or table available in room;
- 19) Windows with appropriate full length window curtains of good quality, easy to draw and without stains/marks;
- 20) Good lighting illumination, bedside table lamps, variety of lighting options;
- 21) Energy-saving light bulbs in between 50% and 75% of bedroom lights;
- 22) Emergency evacuation/fire exit Plans posted in all rooms;
- 23) In-room compendium with information about additional services within the accommodation and/or entertainment/recreation nearby;
- 24) At least 2% of rooms are suites. (Suites shall have a Master's bedroom, pantry, separate living room and en-suite bathroom with enclosed shower and telephone ext. in bathroom);
- 25) There must be peep hole at the door;
- 26) With free in-room internet connections;
- 27) At least 1 PWD Bed room for every 50 up to 150 rooms and shall have the following:
  - a. Lever type door handles;
  - b. Dual height peepholes with the lower one at 39 inches from the floor;
  - c. Light switches at maximum 47 inches from the floor;
  - d. Electrical outlets at a minimum of 18 inches from the floor;
  - e. Bed height at maximum of 20 inches;
  - f. Easy-to-open preferably sliding closet doors;

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**D. Bathroom:**

- 1) Attached bathroom;
- 2) Good space, ability to dry oneself in bathroom without touching bathroom walls;
- 3) Clean toilet and bath with adequate supply of clean water and greater range of toiletries like soap, shampoo, shower/bath gel, dental kit and toilet paper;
- 4) Toilet system in good working order;
- 5) Clean bath towel per guest, no stain and no frayed edges;
- 6) Hot and cold water in shower area, 24/7 wherein hot water reaches 38 degrees in 20 seconds;
- 7) Range of toiletries (e.g. lotion, dental kit, bath gel, etc.);
- 8) Area to place clothes and ample space for personal toiletries;
- 9) Good space, ability to move freely;
- 10) PWD Bathrooms shall have the following:

- a. Toilet flooring of non-slippery surface materials even when wet;
- b. Toilet bowls should be positioned where a vertical or climbing bar shall be positioned on the wall at 12 inches from the front tip of the toilet bowl to offer support when users pull or elevate themselves to a standing position;
- c. Grab bars should be placed on both sides at 28-30 inches from the floor for the safety and effective utility, the distance between the bars not exceeding 30 inches;
- d. Toilet bowls should be elevated to a range of 18-20 inches from the floor.

**E. Food and Beverage**

- 1) Full service restaurant with limited choice of basic dishes, in good condition, open 7 days a week including breakfast;
- 2) Kitchen tidy equipped with clean and functional kitchen equipment and utensils;
- 3) Well designed kitchen of good lay-out with easily accessible appliance, kept clean, frequent cleaning is evident, no intrusive/foul smell;
- 4) Crockery, Cutlery and Glassware are clean, unchipped and stored in a dry place;
- 5) Room service for a minimum of 18 hours;
- 6) Room service by tray and with food cover;
- 7) 80% of the Menu is available;
- 8) Menu card with updated price lists;
- 9) Table Napkins provided.

**F. Services and Amenities**

- 1) Regular Cleaning Services;
- 2) Effective use of functional CCTV located in strategic areas like entrance, lobby etc. with minimum 30 days recording storage;
- 3) Professional security in place:

a. Professional security in place 24 hours at main entry point;

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b. Property and security services designed to ensure guest safety at all times.

- 4) Back-up Generator or emergency power, capable of providing full power;
- 5) Refund and Cancellation Policy.

**G. Statutory Requirements/Business Practices**

- 1) Safety systems and documentation in place to respond to possible natural disasters and man-made threats;
- 2) Cleaning schedules in place that show daily, weekly and seasonal cleaning and checking procedures;
- 3) Maintenance plans that show plan to address major areas requiring maintenance;
- 4) Emergency and Fire Evacuation Procedure;
- 5) Risk assessment audit conducted in the last 5 years that reviews security threats to the property;
- 6) Environmental management system in place to reduce waste with waste reduction targets;
- 7) Environmental systems in place to reduce water with water reduction targets;
- 8) Environmental systems in place to reduce energy with energy reduction targets;
- 9) Vermin and Pest Control Program/Processes to identify and eliminate pest such as rodents, bed bugs, cockroaches etc.;
- 10) Food Safety Procedures in Place;
- 11) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- 12) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs;
- 13) Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

**3. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF RESORTS**

**A. Public Areas:**

- 1) Resort name clearly visible from the street and at night time;
- 2) The exterior is in a clean fit for purpose condition;
- 3) Good use of natural lighting or low energy-saving bulbs used between 50% and 75% of public areas;
- 4) A functional building with good quality materials and efficient lay-out. Clean even in high and low areas with regular wiping/dusting;
- 5) The building is of good appearance, weathering may still exist, but in sound condition;

  
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- 6) Grounds/gardens are kept tidy with regular maintenance and basic furniture fit for the purpose;
- 7) With Wi-Fi access;
- 8) Driveway is in sound condition and free from significant potholes with no obstructions with entrance clearly marked and is visible at night time;
- 9) Designated parking/docking area that meets the relevant provisions of the National Building Code;
- 10) Guests are provided with property address and expected to get local transportation to property;
- 11) The public rest room must be clean provided with adequate supply of clean water, soap and toilet paper and separate bathroom for male and female;
- 12) There are waste bins provided in the restroom;
- 13) All enclosed public areas are well ventilated and shall maintain a maximum temperature of 20-30 degrees Celsius year round;
- 14) PWD Access:
  - a. Ramps shall be provided as means of access to level of change going to entry points and entrances, lobbies influenced by condition of location or use;
  - b. Parking areas shall be provided with sufficient space for the disabled persons to allow easy transfer from car park to ingress/egress levels.

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**B. Reception**

- 1) Reception service available 16 hours;
- 2) Functional reception for the operation;
- 3) Basic registration process with minor wait time (not more than 10 minutes per guest);
- 4) There is Landline/Mobile Phone or any communication device at the reception area;
- 5) All staffs are presentable, clean and tidy in appearance, in uniform and are very well groomed, professional in appearance, polite and responsive;
- 6) Reception personnel can converse in Filipino and English;
- 7) Seating available close by for a small group of not less than 4 guests with excellent quality seats;
- 8) Offer welcome drinks or its equivalent;
- 9) Brochures, maps or any similar guide in going around the area available at the reception area;
- 10) There is a Safety Deposit Box at the Reception;
- 11) There is a porter service/luggage assistance;
- 12) Luggage room/storage service proportionate to size of resort;
- 13) Potable water and drinking glass;
- 14) With Wi-fi access;
- 15) Issuance of official receipt;
- 16) A range of payment options are available. (Cash and Cards)

**C. Bedroom**

- 1) Guest rooms with double locking doors;
- 2) The beds are comfortable with clean mattresses at least 6 inches, fresh linens and 2 pillows firm and soft with cover/protectors for every guest;

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- 3) Waste bins with cover;
- 4) Minimum of five (5) lettable rooms;
- 5) Smallest Rooms must be at least sixteen (16) sq. m. inclusive of toilet & bath with good amount of space to move freely carrying a suitcase;
- 6) There must be telephone with direct dial;
- 7) Television with functional remote control;
- 8) Complimentary bottled water with drinking glass in room;
- 9) All rooms are air-conditioned or shall maintain a maximum room temperature of 20-25 degrees Celsius;
- 10) There must be 3 hangers in the cabinet for every guest;
- 11) Full length mirror;
- 12) Cabinets with dual height hanger racks with the lower rack at 55 inches from the floor provided;
- 13) Power outlet (Sockets) either Type A and B/C provision for plug Adaptor (Electrical outlet/s adaptable of 110 and 220 volts);
- 14) Clean and non-slippery floors;
- 15) Good quality floor coverings;
- 16) Furniture are in good quality;
- 17) With any in-room communication device;
- 18) Chair/s and writing desk or table available in room;
- 19) Windows with appropriate full length window curtains of good quality, easy to draw and without stains/marks;
- 20) Emergency evacuation/fire exit Plans posted in all rooms;
- 21) In-room compendium with information about additional services within the accommodation and/or entertainment/recreation nearby;
- 22) There must be peep hole at the door;
- 23) At least 2% of rooms are suites. (Suites shall have a Master's bedroom, pantry, separate living room and en-suite bathroom with enclosed shower and telephone ext. in bathroom);
- 24) At least 1 PWD Bed room for every 50 up to 150 rooms and shall have the following:
  - a. Lever type door handles;
  - b. Dual height peepholes with the lower one at 39 inches from the floor;
  - c. Light switches at maximum 47 inches from the floor;
  - d. Electrical outlets at a minimum of 18 inches from the floor;
  - e. Bed height at maximum of 20 inches;
  - f. Easy-to-open preferably sliding closet doors.

**D. Bathroom**

- 1) Attached bathroom;
- 2) Clean toilet and bath with adequate supply of clean water, soap and toilet paper;
- 3) Toilet system in good working order;
- 4) Clean bath towel per guest, no stain and no frayed edges;
- 5) Hot and cold water in shower area, 24/7;
- 6) Range of toiletries (e.g. lotion, dental kit, bath gel, etc.);
- 7) Area to place clothes and ample space for personal toiletries;
- 8) Good space, ability to move freely;
- 9) Clean Towels in acceptable condition;
- 10) Provided with waste bin and emptied daily;
- 11) PWD Bathrooms shall have the following:
  - a. Toilet flooring of non-slippery surface materials even when wet;

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- b. Toilet bowls should be positioned where a vertical or climbing bar shall be positioned on the wall at 12 inches from the front tip of the toilet bowl to offer support when users pull or elevate themselves to a standing position;
- c. Grab bars should be placed on both sides at 28-30 inches from the floor for the safety and effective utility, the distance between the bars not exceeding 30 inches;
- d. Toilet bowls should be elevated to a range of 18-20 inches from the floor.

**E. Food and Beverage**

- 1) Availability of dining area or room service;
- 2) Kitchen equipped with clean and functional kitchen equipment and utensils;
- 3) Kitchen kept clean, frequent cleaning is evident, no intrusive/foul smell;
- 4) Crockery, Cutlery and Glassware are clean, unchipped and stored in a dry place;
- 5) Room service for a minimum of 12 hours;
- 6) Room service by tray and with food covered;
- 7) 80% of the Menu is available;
- 8) Menu card with updated price lists;
- 9) Table Napkins provided.

**F. Services and Amenities**

- 1) First aid facility with trained staff on site;
- 2) Regular Cleaning Services;
- 3) Effective use of functional CCTV located in strategic areas like entrance, lobby etc., with minimum 30 days recording storage;
- 4) Professional security in place:

- a. Professional security in place 24 hours at main entry point;
- b. Property and security services designed to ensure guest safety at all times.

- 5) Licensed and Certified Lifeguards (in accordance with PCG Memorandum Circular No. 03-14).

**a. COASTAL AND BEACH RESORTS**

- i. All resorts shall provide the services of a sufficient number of lifeguards duly trained by PRC, PLS or other PCG accredited organization and be certificated by the Philippine Coast Guard;
- ii. There should be one lifeguard for every twenty (20) meters of length of beach coast line;
- iii. All resorts shall provide the services of a physician, either on call or on full-time basis, depending on their volume of operation and accessibility to hospital or medical centers. In addition, resorts shall also employ first-aiders who have completed a course in first aide duly certified by the Philippine Red Cross or other PCG accredited organization. First aide medicines and necessary life-saving equipment shall be provided within the premises;

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- iv. There shall be placed on a coastal or beach resort an adequate number of buoys (approximately 1 for every 10 meters) attached with safety net which shall be spread within the area whenever there's an abrupt depth of water (*kantilado*). However, when the beach front has no abrupt depth of water, adequate number of buoys shall be placed to be determined by the resort owner or keeper as safe for swimming purposes;
- v. The distance fronting the area of the resort with adequate number of buoys as provided in the preceding section shall be designated as the area for swimming purposes, and no boat, banca or other crafts shall be allowed to enter the designated areas;
- vi. The resort owner shall likewise designate a portion of the beach front to be used exclusively for loading and unloading of resort guests or areas designated by the LGU in coordination with the PCG;
- vii. Management shall post sufficient and visible signs in strategic areas in the resort or at the beach to warn guests/customers of the presence of artificial or natural hazards, danger areas or occurrences threat;
- viii. Shall have radio/communication room which will be used for activity monitoring and a VHF radio with base and sufficient handheld radios for the use of personnel and emergency hotlines are properly posted;
- ix. Other than these safety requirements, each resort shall establish its own house rules and regulations which must be clearly visible to guests and shall be checked by PCG;
- x. Inclusion of beach warning signage and flag signals.

**Precautionary Measures:**

In no case shall the resort management allow swimming at the beach front beyond 10:00 p.m. and appropriate notice shall be posted to inform the resort guest of this regulation.

Management shall post sufficient and visible signs in strategic areas in the resort or at the beach to warn guests/customers of the presence of artificial or natural hazards, danger areas or occurrences threat.

**Prohibited Acts and Practices**

No pets or animals shall be allowed to bathe/swim along beaches. Likewise, "pukot" fishing and washing of fishing nets shall be strictly prohibited in beach resorts.

Resort owners shall prohibit ambulant vendors from peddling their wares within the resort. Resort owners shall likewise maintain their premises clean and shall adopt their own anti-littering measures. Without prejudice to existing ones, no resort shall be established or constructed within a radius of five (5) kilometers from any pollution-causing factory or plant.

**b. SWIMMING POOLS**

- i. Every swimming pool or bathhouse shall be under the supervision of a trained individual who shall be responsible for

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- pool operation and maintenance, safety of bathers, and sanitation of the pool or bathhouse;
- ii. There must be an adequate number of lifeguards on duty/in constant attendance when in use;
- iii. It must be equipped with a standard 24-unit first aid kit that shall be kept filled and readily accessible for emergency use;
- iv. There must be a designated and readily accessible room or area, equipped for emergency care of casualties at a point nearest to the greatest hazard. Minimum equipment for an emergency room shall be a first aid kit, a stretcher, and two woolen blankets for emergency use only;
- v. A list of telephone numbers for the nearest available doctors, ambulance, hospitals and police or fire department rescue squads or paramedics when available must be posted to its telephone booth;
- vi. All walk areas used by patrons in bare feet shall be constructed of non-slip material;
- vii. The depth of water at the deepest point shall be conspicuously marked on both sides of a pool with deep water at one end. Marking shall show depths in a 1 foot increment;
- viii. Suitable placards specifying the sanitary practices under these regulations and any other information concerning the proper use of swimming pool or bathhouse by the public shall be conspicuously posted in the dressing rooms and other places suitable for such posting. (IRR of Chapter VIII - Sanitation Code of the Philippines);
- ix. Provision of lifeguards and lifeguarding equipment as stated in Provincial Ordinance No. 5 Series of 2019, entitled "An Ordinance Mandating Pool/Resort Owners, Managers, Operators And Similar Business Within The Territorial Jurisdiction Of The Province Of Bataan To Provide Duly Trained, Certified And Licensed Lifeguard/S And Life Guarding Equipment In Their Operation Providing Penalties For Violation Thereof And Other Purpose."

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- 6) Back-up Generator or emergency power, capable of providing full power;
- 7) Refund and Cancellation Policy.

**G. Statutory Requirements**

- 1) Safety systems and documentation in place to respond to possible natural disasters and man-made threats;
- 2) Cleaning schedules in place that show daily, weekly and seasonal cleaning and checking procedures;
- 3) Maintenance plans that show plan to address major areas requiring maintenance;
- 4) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- 5) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs;

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- 6) Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws;
- 7) Emergency and Fire Evacuation Procedure. Risk assessment audit conducted in the last 5 years that reviews security threats to the property;
- 8) Environmental management system in place to reduce waste with waste reduction targets;
- 9) Environmental systems in place to reduce water with water reduction targets;
- 10) Environmental systems in place to reduce energy with energy reduction targets;
- 11) Vermin and Pest Control Program/Processes to identify and eliminate pest such as rodents, bed bugs, cockroaches etc.;
- 12) Food Safety Procedures in Place.

**4. MINIMUM REQUIREMENTS FOR THE OPERATION OF HOMESTAYS**

**A. Homestay Sites**

- 1) There is prevailing peace and order situation in the area;
- 2) There are existing natural and man-made attractions in the community;
- 3) Located in an area close to natural or cultural attractions. (ASEAN Homestay Standard);
- 4) Site is easily accessible to tourists and with existing transportation services, good road condition and other basic community infrastructures;
- 5) The host community is willing to join the National Homestay Program, shall have a minimum number of 5 registered homestay providers within the municipality for community involvement (ASEAN Homestay Standard);
- 6) There shall be a community area suitable for activities like welcoming ceremony and cultural performances. (ASEAN Homestay Standard);
- 7) There is a dearth of commercial accommodation facilities in the area to service tourists.

**B. Home Facilities**

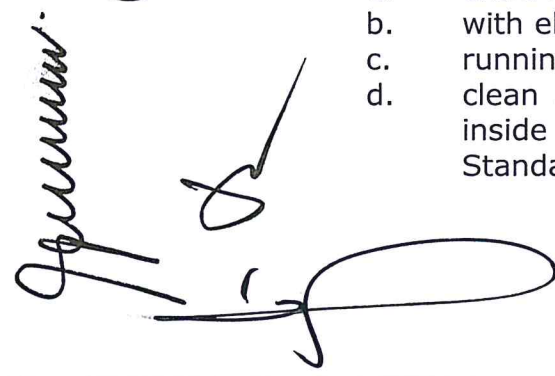
- 1) Structures are of durable building materials and are in good, stable, safe and presentable condition;
- 2) The surroundings are pleasant and healthful;
- 3) There shall be at least one (1) adequately furnished guestroom to accommodate paying visitors;
- 4) The following shall be available:
  - a. extra bed/s;
  - b. with electricity supply and adequate lighting system;
  - c. running water or if not available, adequate supply of water;
  - d. clean and well-maintained toilet and bathroom facilities either inside the room or inside the house. (ASEAN Homestay Standard);

  
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- e. meals at reasonable rates;
- f. electric fan or other means of ventilation;
- g. Provide basic amenities and furnishing such as desk, mini cupboard, mirror, electric socket.

**C. Training** – Family members shall have completed the DOT’s training workshop on Homestay Program.

**D. Statutory Requirements**

- 1) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- 2) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs;
- 3) Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child’s development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

**5. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF TRAVEL AND TOUR AGENCIES**

- 1) Minimum of 18 sq. m. Physical Office located in a Commercial Area and not in a residential district;
- 2) There must be a Business name signage visible, easily identifiable and shall be used for the tour operation business;
- 3) Full Office Equipment (e.g. Tables & Chairs, Counter, Brochure Rack/E-brochures, Telephone/Mobile Phone, Computers, Printer/s, Filing Cabinets, Fans/Air-conditioning Units);
- 4) Seating Area for Clients;
- 5) Information Materials (Brochures/Flyers/Other Promotional Materials);
- 6) Official Website or any online page;
- 7) Global Distribution System or Computer Reservation System;
- 8) Minimum of 3 regular employees;
- 9) At least 2 payment options;
- 10) Fire Extinguishers;
- 11) Proof of working capital of ₱500,000.00, original copy of bank certification with cheque writer;
- 12) For General Manager, documents to prove a minimum of three (3) years managerial experience in travel and tour agency operations or proof of passing a Travel and Tour Agency Management Course or its equivalent;
- 13) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- 14) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs.

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**6. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION OF TOURIST LAND TRANSPORT VEHICLES**

- 1) Registered capacity. A tourist land transport operator shall only be allowed to apply for accreditation for the number of units covered by its franchise from the LTFRB minimum of 10 units;
- 2) Roadworthiness. To be eligible for registration, every tourist transport must be found roadworthy upon inspection by a team from the Department, in the case of bus or coaster, it shall not be more than ten (10) years, nor more than five (5) years for a tourist car reckoned from the year of manufacture (Current Year Model);
- 3) Left-hand drive. Every tourist transport shall be provided with a left-hand drive;
- 4) Ventilation. Every tourist transport shall be properly equipped with adequate air-conditioning units;
- 5) Fire-fighting facilities. A tourist transport shall be provided or installed with at least one portable fire extinguisher for the protection of its passengers;
- 6) Imprint of company's name and logo. The company's name and logo shall be imprinted at the rear and sides, respectively, of the tourist transport unit;
- 7) Public address system. For tourist buses or coasters, a public address system shall be installed;
- 8) First-aid kit. Every tourist transport unit shall be provided with a first-aid kit and an adequate supply of emergency medicines;
- 9) Seats. Every tourist transport unit shall have clean and comfortable seats;
- 10) Storage Space. A tourist transport shall have enough leg room and sufficient storage space;
- 11) Garage. Every tourist transport operator shall provide an adequate garage and repair shop for the maintenance of its equipment, as well as a parking space sufficient to accommodate all its registered units.

**7. MINIMUM REQUIREMENTS FOR MOTORIZED BOAT/BANCA ENGAGED IN TOURISM ACTIVITIES AND SERVICES**

**A. Type of Vessel**

- 1) Any Motorized Boat/Banca engaged in providing water transport services including sightseeing and other water-related tourism activities to foreign or domestic tourist.
- 2) Physical Appearance:
  - a. The Boat/Banca shall be made of good quality materials and in accordance with MARINA standards;
  - b. It shall be painted with a color prescribed by the Department;
  - c. It shall be clean and well-maintained;
  - d. It shall have a non-skid gangplank of good quality materials and with a minimum width of two (2) feet; and
  - e. The company's name and certificate number issued by MARINA as well as the approved seating capacity/weight restrictions shall be clearly imprinted on both sides of the boat.

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3) Equipment/Accessories

The Boat/Banca shall be provided with the following equipment:

a. Life-Saving and Firefighting Equipment and Facilities:

1. Adequate number of life vest as specified in the MARINA Certificate of Inspection to be given to and worn by passengers upon boarding;
2. Adequate number of required fire fighting facilities in accordance with the Philippine Merchant Marine Rules and Regulations (PMMRR); and
3. First Aid kit with adequate supply of emergency medicines.

b. Lighting Signals:

1. Adequate lighting (2 coleman type, fore and aft portion of the boat/banca, if operating at night time); and
2. Flashlights and at least four (4) hand held flares.

c. Radio Equipment

1. VHF with capability on 156.8/156.3/156.6MHz.

4) Waste Bin/Waste Disposal

- a. The Boat/Banca shall be provided with adequate waste bins; and
- b. There shall be a short briefing on boat rules on safe travel, proper waste disposal and other concerns before boarding or an adequate notice thereof or brochures shall be conspicuously displayed on the Motorized Boat/Banca or given to passengers.

5) Service and Staff

- a. The boat/banca shall be manned by at least two (3) boatmen who are well trained, efficient and courteous and with proper work permit/license from MARINA;
- b. The boatmen shall wear Identification Cards and clean uniform prescribed by the Department at all times; and
- c. The boatmen shall provide optimum service geared on passenger safety, comfort and convenience.

**8. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION OF TOUR GUIDES/BIRD GUIDES/MOUNTAIN GUIDES**

**A. TOUR GUIDES:**

- 1) Certificate of Training from the Department. Proof that the applicant has passed a seminar for tour guides duly conducted by the Department or other agencies duly authorized by the Department to conduct the seminar (minimum of 4 days); provided, however, that this requirement may be waived by the Tourism Office where the applicant possesses special academic or professional qualifications relevant to tourism;

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- 2) Valid Mayor's/Occupational/Working Permit or License;
- 3) Valid Health Certificate issued by any duly accredited government physician;
- 4) Valid NBI Clearance.

**B. MOUNTAIN GUIDES;**

- 1) Proof that the applicant has passed a seminar for mountain guides duly conducted by the Department or other agencies duly authorized by the Department to conduct the seminar;
- 2) Certificate of good health issued by any duly accredited government physician;
- 3) Clearance from the National Bureau of Investigation;
- 4) Mayor's permit and/or municipal license;
- 5) A certification issued by the Provincial Tourism Office that the applicant has the necessary skills and experience in mountain guiding for local guides;
- 6) Certificate of training from the Philippine National Red Cross.

**9. MINIMUM REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF AGRI-TOURISM/FARM SITES**

**A. Location.** The farm shall be situated in a generally safe and peaceful location;

**B. Facilities/Amenities (for day and farm resorts).** The farm shall have the following facilities/amenities, or can also be available in the nearest service area at least not more than two hours drive from the farm, in addition to the existing facilities necessary for its regular operation:

- 1) Reception/Information Counter – an info counter or a reception area shall be designated where guests can inquire about the farm's tour offerings, services or amenities. It can also serve as briefing area for the tour;
- 2) Parking – parking area with designated drop-off/loading area shall be provided for buses and other public as well as private vehicles;
- 3) Dining/Multi-Purpose Area – there shall be a dining, recreational and activity area for guests. Picnic grounds shall use outdoor fixtures made of indigenous materials in keeping with the farm setting;
- 4) Farm guide – Farm guides shall accompany the tour group during the entire conduct of the farm. They shall provide information on farm operations, processes, products and other unique features of the farm;
- 5) Souvenir Shop/Mini-Trading Area – There shall be a souvenir shop or mini-trading post to provide guests with a place to purchase the farm's produce (fresh or processed) and/or negotiate for possible business partnerships or transactions;
- 6) Accommodation (for farm resorts only) – There shall be accommodation facilities which shall comply with the minimum standard requirements of an accommodation facility of the DOT.

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- 7) Restaurant (for farm resorts only) – There shall be a restaurant or catering service within the farm resorts premises to cater to the dining needs of visitors/guests.

PWD Access

- 1) Ramps shall be provided as means of access to level of change going to entry points and entrances, lobbies influenced by condition of location or use;
- 2) Parking areas shall be provided with sufficient space for the disabled persons to allow easy transfer from car park to ingress/egress levels.

**C. Infrastructure** – Support infrastructure facilities shall be in place such as road, electricity, water and communication.

**D.** The farm shall be in operation for at least (3) months in a year.

**E. Safety and Security** – to ensure safety and security, the following shall be available:

- 1) Security Personnel – Security personnel shall be on duty on a 24 - hour basis to ensure the safety of guests;
- 2) Safety Signages – Appropriate safety signages shall be conspicuously displayed within the agri-tourism / farm site;
- 3) "Off Limit" Areas – "Off Limit" areas shall be clearly demarcated. Access to these areas shall be roped-off or blocked. Public areas shall be specifically designated;
- 4) Fire Fighting Facilities – There shall be firefighting facilities within the farm;
- 5) First Aid Kit – A well-stocked first aid kit shall be made available at all times;
- 6) Farm equipment – Farm equipment shall have proper parking storage areas. Farm equipment, purposely put on display, shall be roped-off from visitors.

**F. Sanitation**

- 1) Wash Area – There shall be designated wash areas within the farm with ample amenities such as continues flow of clean water, soap, hand towel or tissue paper;

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- 3) Garbage Cans – There shall be garbage cans in all activity areas;
- 4) Garbage Disposal/Waste Management – Garbage/Waste disposal shall adhere to sustainable methods and techniques geared towards environmental protection.

**G. Statutory Requirements**

- 1) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;

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- 2) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs;
- 3) Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

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**10. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF ECOGUIDES/ECOTOURS/ECOLOGES AND ECOTOUR FACILITIES**

**1) Ecotourism Potential (General)**

- a. Need to use nature and associated culture as the focus for eco tourism attraction;
- b. Diversity of ecological resources/natural habitat and socio cultural values and traditions;
- c. Undisturbed environment or environments demonstrating natural process at work i.e. wetlands, protected areas, or coastal areas;
- d. The site is a natural home for rare and/or unique species;
- e. Authenticity/Originality of culture of local community lived or living in the natural site;
- f. Authenticity/Originality of cultural resources found in the area;
- g. Any other resources associated with main natural and cultural resources with added value to the site;
- h. Any indigenous economic activities such as handicrafts, agro-based activities and fishing.

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**2) Accessibility**

- a. Appropriate access to the site;
- b. Presence of clear directional signages which harmonize the environment with natural materials to the site.

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**3) Environmental Management**

- a. Carrying capacity of the site should be studied and determined at the beginning in comparison with the sensitivity and biodiversity/cultural diversity of the site;
- b. Existence of management control/measures to ensure that tourism activities do not exceed carrying capacity of the site;
- c. Availability of environmental planning and impact assessment, which includes but may not be limited to the following:
  - i. Appropriate design and materials used for infrastructure at site which is compatible with the local environment;

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- ii. Minimum site disturbance in constructing new facilities/product;
- iii. Promote energy and water conservation policy;
- iv. Use of environment friendly alternative energy sources such as solar power, bio gas, composting etc. for the project;
- v. Availability of energy conservation program;
- vi. Promote solid waste reuse and recycling, following Reduce, Reuse and Recycle (3R concept) ;
- vii. Appropriate waste disposal that does not create any negative impacts to the environment;
- viii. Minimize environmental impact caused by disposal of wastewater;
- ix. Minimum noise impact;
- x. Minimum disturbance to wildlife;
- xi. Minimum impact on local air quality;
- xii. Availability of clean restrooms;
- xiii. Conservation Management.

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**4) Site Management**

- a. Provide a check list for a monitoring program in place to assess satisfaction of local people and tourists;
- b. Availability of training programs for staff on monitoring the following:
  - 1. Ecotourism activities;
  - 2. Ecolodges which includes but may not be limited to the understanding of natural and cultural values of the area, measures which are to be taken to prevent environmental degradation, and to respond to an emergency;
  - 3. Mechanism to ensure that visitors do not stray into sensitive areas of the ecosystem when visiting by themselves or when accompanied by guides and interpreters;
  - 4. Contributions to the local community to generate people empowerment;
  - 5. Demonstrate respect for a sensitivity of local cultures in both its development and operation phases;
  - 6. Ecotourism products meet customers' expectation;
  - 7. Provide accurate and responsible information about the product that leads to realistic expectations.

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**MINIMUM REQUIREMENTS**

**A. Ecotourism Facility/Ecotourism Activity**

- 1) Ecotourism facilities and activities should be based on natural and/or cultural (authentic/traditional) environmental and their associated resource base;
- 2) The facility essentially needs to provide inside education to tourists/visitors on the environment including flora, fauna and its associated communities;
- 3) Facility or the service should be offered to smaller groups (maximum of 15 persons) after identifying appropriate carrying capacity of the visitor site;
- 4) **Facility/** or activity should generate economic benefits to the host community involved directly and indirectly in the area;
- 5) **Facility/** or activity essentially need to conserve existing ecological, cultural and social balances within the project and the associated areas;
- 6) Should take all necessary measures to minimize all negative environmental, social, cultural and economical impacts;
- 7) Enhancement of existing environment such as contributing to the nature, culture to be taken into consideration ensuring its sustainability:
  - a) Solid wastes properly collected and separated;
  - b) Bio degradable materials used for physical structures:
    - i. Eco friendly design;
    - ii. Natural lighting;
    - iii. Natural Ventilation.
  - c) Use of local materials for physical structures;
  - d) Solid wastes recycled and reused within the project;
  - e) Waste water recycled and reused;
  - f) Employees are locals in the area. (permanent, casual and contract).

**B. Tourism Activities**

- 1) Appropriate tourism activities compatible with local heritage, values and character;
- 2) Tourism activities are planned so that tourists follow specific path to minimize the negative impact on the environment;
- 3) Activity organized within neighboring area and used the existing environments (not created) to qualify as an ecotourism activity;
- 4) Should give education and knowledge enhancement for the visitors with experience;

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- 5) Open area activities need to support with pre briefing, additional reading, reference materials and eco interpretation (if requested) for knowledge enhancements of visitors;
- 6) Should limit to smaller group of 15 pax at a time for safety and security;
- 7) With officials/local guards to take care of safety and security for visitors. • Availability of trained staff to deal with disaster/emergency;
- 8) With communication tools/system and emergency plan. Adequacy of medical facilities and emergency response;
- 9) With emergency plan;
- 10) Provision of information about the area (e. g. prohibited area, dangerous areas and animals for visitors before entering the site.

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**C. Interpretation and Educational Program**

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- 1) Provision of brief introduction on natural environment of the site as well as ecotourism activities;
- 2) Creation of appropriate ecotourism trails;
- 3) Existence of information center or booth to provide updated and accurate information;
- 4) Availability of well-trained local guides/interpreters serving visitors;
- 5) Availability of diverse interpretation media. E.g. electronic, printed or verbal guides on flora and fauna found in the habitat;
- 6) Introduction of codes of conduct to educate visitors on what should or should not do when visiting the site.

**D. ECOLOGDE**

- 1) It should be a project initiated with local community participation and people should be aware about the benefits available through the project. In order to give a participatory experience to the tourist and to the local community, the maintenance, cooking, cleaning, management and guided tours should be done by the people of the area as much as possible;
- 2) The architectural design should be environmentally and culturally sensitive. The materials found in the area should be used for the project and the building should be done with the assistance of the local labor force;
- 3) It should have a minimal impact on the natural and cultural surroundings. Measures should be taken to mitigate all possible impacts;
- 4) It should utilize the green technologies that provide the sustainable means of water acquisition, safe disposal of solid waste and sewage and use of renewable energy sources;

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- 5) Adequate security should be provided to the tourist to avoid dangers from natural elements and other;
- 6) Adequate first aid facilities should be provided and accessible;
- 7) The roads/paths should be maintained in a natural manner with the canopy cover unbroken without disturbing the natural setting of the area at the same time should be convenience to the tourist;
- 8) No sweeping and burning are allowed;
- 9) Natural contours of the landscape should be followed;
- 10) High structures should be avoided;
- 11) Minimum use of synthetics paints on surfaces should be used, if used the colors should blend, not contrast with the colors of the natural environment;
- 12) The design should be simple with minimum visual impacts;
- 13) Use of heavy machinery should be avoided/minimized;
- 14) Construction process should combine traditional and modern technologies and materials;
- 15) Accommodation:
  - a) It should have at least five (5) letting bed rooms;
  - b) It should be provided with basic requirements such as bed and bedding, mirrors, cupboards, etc.;
- 16) Bath Rooms should be of modern sanitary facilities;
- 17) Area to be provided to store linen;
- 18) Adequate accommodation facilities should be provided for drivers and the staff;
- 19) Kitchen should be provided with basic and adequate kitchen equipments:
  - a) Necessary actions should be taken to prevent impacts of insects and rodents;
  - b) Professionally built kitchen draining system should be available with grease trap soakage pit, etc.;
  - c) Kitchen should be provided with hot water facility.
- 20) Adequate and systematic storage facilities should be provided;
- 21) Proper disposal system of garbage should be introduced as per the guideline of ecotourism;
- 22) Staff:
  - a) Experienced staff should be provided;
  - b) Staff should be provided with suitable uniforms;
  - c) Staff at the reception should be able to speak at least English language.

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23) Dining Area:

- a) A dining area should be provided with suitable seating facilities with all necessary requirements;
- b) Design and environmental Management System;
- c) Good waste water management system and standardized water treatment.

**E. ECOGUIDE**

- 1) Ecoguide must allow each visitor to spend more time with nature or culture;
- 2) Visitors are accorded opportunity to directly experience nature and culture;
- 3) The ecoguide must undertake consultation with local communities to inform them on the activity to be conducted;
- 4) The ecoguide must inform visitors on the appropriate behavior, activity to be undertaken in the site being visited, how to identify and to respond to all foreseeable environmental risks related to operation;
- 5) The ecoguide must provide accurate information on indigenous knowledge, system and practices, proper respect and sensitivity to indigenous cultures and heritage;
- 6) Proof that the applicant has passed a seminar for ecoguides duly conducted by the Department or other agencies duly authorized by the Department to conduct the seminar;
- 7) Certificate of good health issued by any duly accredited government physician;
- 8) Clearance from the National Bureau of Investigation;
- 9) Mayor's permit and/or municipal license;
- 10) A certification issued by the Provincial Tourism Office that the applicant has the necessary skills and experience in mountain guiding for local guides;
- 11) Certificate of training from the Philippine National Red Cross.

**F. Statutory Requirements**

- 1) Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- 2) Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs;
- 3) Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

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**11. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF RESTAURANTS**

- A. The locality and environs including approaches shall be with proper ingress and egress;
- B. The facade and architectural features of the building shall be appropriately designed;
- C. There shall be an adequate, secured parking space provided for free to customers;
- D. A receptionist shall be available to usher in guests. A waiting lounge with a telephone shall also be provided;
- E. Dining Room:
  - 1) Furnishing - The dining room shall be adequate in size, with sufficient and well-maintained furniture. Flooring materials shall be kept clean at all times;
  - 2) Atmosphere - The restaurant shall have a pleasant atmosphere;
  - 3) Cuisine - There shall be cuisine of good quality and presentation available during normal meal hours and served with distinction. Raw food used shall meet minimum government and international standards;
  - 4) Menu Book/Card - There shall be a menu book or card which shall be presentable, clean and easy to read with the menu items listed in logical sequence. All items shall be made available at all times at best-effort basis;
  - 5) Linen - All tables shall have clean table cloth and cloth napkins of good quality. They should not be faded, nor with frayed edges and stains and should be changed after every service;
  - 6) Crockery - No piece of crockery, cutlery and tableware in use shall be chipped or grazed. The silverware shall be kept polished and clean at all times.
- F. Service and Staff - Adequate number of well-trained, well-groomed, experienced, efficient and courteous staff shall be employed.
- G. Bar - The bar shall be well-stocked at all times.
- H. Comfort Rooms - All comfort rooms shall be with good quality fixtures and fittings and provided with running water. The floor and the walls shall be covered with impervious materials of good quality workmanship and shall be kept clean and sanitary at all times. Tissue papers, soap, paper towels and/or hand drier shall be provided.
- I. Kitchen - The kitchen, pantry and cold storage shall be in good operating condition at all times and shall be well-equipped and hygienic. Equipment necessary to maintain a high standard of sanitation and hygiene shall be installed and used.
- J. Lighting - Adequate lighting dining rooms, public rooms, comfort rooms, corridors and other public areas.

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- K. Airconditioning/Ventilation - All main dining or function rooms shall be fully airconditioned and/or well-ventilated.
- L. Maintenance - All sections of the restaurant (e.g., building's exterior and interior, air conditioning units, kitchen, fixtures, plumbing, etc.) shall be maintained properly at all times. A periodic vermin control program shall be maintained in all areas.
- M. Fire-fighting Facilities - Adequate fire-fighting facilities shall be provided in accordance with the R.A. 9514, otherwise known as the Fire Code of the Philippines.
- N. Compliance with the P.D. 856, otherwise known as the Code on Sanitation of the Philippines.
- O. For PWDs, ramps shall be provided as means of access to level of change going to entry points and entrances, lobbies influenced by condition of location or use. Facilities for PWDs. There shall be facilities and provisions for the disabled in accordance with B.P. 344.
- P. Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- Q. Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs.
- R. Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

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**12. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF A SPA ESTABLISHMENT**

- A. Location and Environment  
The spa shall be situated in a convenient, safe and reputable location with clean, calm and relaxing environment.
- B. Lounge and Reception Counter  
There shall be a reception counter attended by qualified and trained staff separated from service area and a reasonably furnished lounge with seating facilities commensurate with the size of the spa.
- C. Washrooms  
There shall be separate clean and adequate public washrooms for male and female provided with running water and adequate toiletries;

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D. Locker Rooms

There shall be secured separate male and female locker for guests.

E. Shower Rooms

There shall be separate male and female public shower and changing rooms.

F. Treatment Rooms

There shall be separate unlocked public treatment rooms for male and female that maintain an appropriate level of privacy to the client.

G. Services

The spa shall provide the following services in addition to other spa-related amenities which it may offer:

- 1) Massages – Swedish, Shiatsu, reflexology or tui-na, Thai, aromatherapy/Filipino healing modalities and/or other acceptable massage treatment;
- 2) Steam, sauna and/or water bath;
- 3) Spa treatments – one or more of the following body packs and wraps, exfoliation, body toning/contouring, waxing, hand, foot/face care and hair.

H. Staff

The staff shall be appropriately trained by the Department of Health (DOH) or DOH-recognized training institutions and/or associations duly recognized by the DOT. Likewise, they shall be properly attired, clean and well-groomed at all times and of all massage therapists must be holders of Valid health certificate duly issued by the proper authority and DOH license as massage therapist for supervisors; All staff shall wear name badges or similar identification devices.

I. Steam, Sauna and Water Baths

The steam, sauna and water baths shall be maintained in a level of temperature which shall not cause adverse reactions to user. Safety signages shall be provided to include information on allowable maximum temperature, duration of stay and guide in operating temperature regulator.

J. Linen

There shall be adequate supply of clean linen, towels and appropriate garments such as robes or sarongs of good quality.

K. Administrative Facilities

There shall be sufficient and adequate space for backroom operations.

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L. Back Office Areas Employees' Facilities

The establishment shall provide appropriate back of house areas to enable the professional deliverance of spa services that includes but not limited to: staff area, pantry and management area. There shall be adequate and well-maintained employees' lounge and rest area equipped with bathrooms and dining room for male and female employees.

M. Emergency Generator

There shall be a high-powered generator capable of providing full power in all areas of the establishment.

N. Parking

There shall be adequate and secured parking space provided for customers/guests.

O. First Aid

A first-aid kit containing appropriate supplies shall be maintained at Reception and in the Staff waiting area. Larger spas may have additional kits. A well-stocked first aid cabinet and staff trained in first aid shall be available at all times; **and**

P. Facilities for Disabled or Accessibility

There shall be facilities and provisions for PWDs in accordance with Batas Pambansa Blg. 344. Facilities shall be accessible to senior citizens.

Q. Cleanliness

All areas of the spa, both inside and outside whether staff or guest areas, shall be kept hygienically clean and orderly at all times.

R. Wet Areas

In some spas where water is used for the services, the floor should be made of non-slippery, easy-to-clean material.

S. The spa area shall be well ventilated and the lighting should be appropriate in each area.

T. Client Folio

All clients shall be required to register and fill-up consultancy forms prior to treatment by therapist to determine any contraindication or special condition. The spa shall also maintain an updated client file.

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U. Maintenance

Maintenance of all sections of the spa establishment shall be on a continuing basis taking into consideration the quality of equipment and supplies.

V. Sanitation

Sanitation measures like cleaning and sterilizing of equipment, robes, sheets, blankets, pillow case, towels or other materials which may come in direct contact with the client's body shall be adopted in accordance with the standards prescribed under the Sanitation Code of 1976.

W. Waste management

The spa shall have a waste management system installed, with waste and used water managed in a response and sanitary manner.

X. Safety and Fire-Fighting Facilities

Spa shall have clearly marked signage, floor plans, emergency exits, emergency lighting, smoke detectors, fire extinguishers, and fire alarms. The Fire-fighting facilities shall be provided in accordance with Presidential Decree No. 1185, otherwise known as the Fire Code of 1978.

Y. Emergency Plan

All the staff shall be aware of the action plan in the case of clinical emergencies. Among others, telephone numbers for the closest ambulance services, welfare centres and hospitals shall be easy to access.

Z. Signboards

Appropriate signboards shall be conspicuously displayed outside the establishment showing clearly the name of the spa while safety signages shall be prominently posted in strategic locations inside the spa.

AA. Non-Smoking Facility

The entire spa facility shall be a no smoking facility.

BB. Protection of Children

Employ vigilance and establish measures to ensure protection of children against prostitution, sexual abuse, abuse, cruelty, exploitation, acts of neglect, and other conditions prejudicial to the child's development as penalized under R.A. 7610, otherwise known as the Special Protection of Children Against Abuse, Exploitation and Discrimination Act, and other relevant laws.

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Provincial Governor

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**13. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF MUSEUMS**

- A. Membership - The institution shall be a member of the National Committee on Museums.
- B. Location - The locality and environs including approaches shall be pleasant with proper ingress and egress. The facade and architectural features shall be appropriately designed.
- C. Parking area - An adequate and secured parking space for customers shall be made available.
- D. Security - Adequate security shall be provided at all times.
- E. Reception - A well-informed receptionist shall be available to usher in guests. A waiting lounge with telephone shall also be provided.
- F. Conference/Auditorium - There shall be a conference and/or auditorium provided with audio-visual equipment and made available to the public.
- G. Library - There shall be a library adequately equipped and made available to the public.
- H. Public Washrooms - There shall be adequate and accessible toilet facilities provided separately for male and female. Toiletries shall, likewise, be provided.
- I. PWD Access
  - 1) Ramps shall be provided as means of access to level of change going to entry points and entrances, lobbies influenced by condition of location or use;
  - 2) Parking areas shall be provided with sufficient space for the disabled persons to allow easy transfer from car park to ingress/egress levels;
  - 3) Restrooms for PWD.
- J. Compliance with R.A. 9994, or the Expanded Senior Citizens Act of 2010, particularly Section 4 thereof on the privileges of Senior Citizens;
- K. Compliance with R.A. 10754, An Act Expanding The Benefits And Privileges Of Persons With Disability, including Section 32 thereof on the privileges of PWDs.

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**14. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF REST AREAS IN GASOLINE STATION**

- A. Location - The locality and environs including approaches shall be pleasant with proper ingress and egress and shall be located along a major highway or road.
- B. Parking - There shall be adequate parking area for customers.

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- C. Rest Room - There shall be a rest room with adequate, clean and well-maintained toilet and washing facilities. Tissue paper, soap, hand paper/towel shall also be provided.
- D. Signage - There shall be a rest room signage visible from major approaches and which shall be well-illuminated at night. Clear signage should be designated for each gender of required public toilet facilities located near the entrance of each toilet facility.
- E. Service and Staff - Adequate number of well-trained, properly-groomed, efficient and courteous staff shall be employed. They shall wear clean uniforms at all times.
- F. Gasoline Station - The gasoline station shall be clean and well-maintained. It shall also be well-illuminated at night.
- G. Sundries Shop - There shall be an adequately stocked sundries shop which shall be clean and well-maintained.

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H. Design:

Well-designed public toilet that is:

- i. Clean and dry;
- ii. Well ventilated;
- iii. Easy to maintain;
- iv. Carefully planned layout with maintenance in mind;
- v. Minimize hand contact;
- vi. Hands - free operation.

Auto sensor faucet, auto sensor soap dispenser and auto sensor hand-dryer or paper towel dispenser at wash basin area is strongly recommended for hygienic purposes and to minimize wetting of floors and provide the ease of keeping the toilet clean and dry.

- vii. Accessible to PWDs and those special needs and Senior Citizens.

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**15. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF SHOPS/DEPARTMENT STORE**

A. Physical Requirements

The establishment shall be fronting a major street or thoroughfare or is situated in a shopping center/mall. The entrance and display windows shall be attractively designed and adequately illuminated. The furniture and decor of the establishment shall be presentable and functional at all times. The shop shall be fully-airconditioned. Well-maintained restrooms shall be provided for by the establishment itself, or in the event that the shop is located in a shopping mall or commercial building, the common/public restrooms, shall be made

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available to the clients or visitors and accessible to PWDs and those special needs and Senior Citizens.

For department stores:

- 1) The store shall be in an edifice or a building or may be part of a shopping mall/center;
- 2) Parking area shall be made available to clients;
- 3) There shall be appropriate directional signs.

B. Staff

All members of the staff shall be well-groomed, courteous and efficient at all times.

C. Service

Goods displayed in the shop window or showcases shall be provided with clearly written price tags. A wide selection of goods shall be in stock. A receipt shall be supplied to the tourists for each purchase. The full name and address of the establishment shall be printed on the receipt, together with the number of the authorized business license. Purchase shall be itemized together with the price, and any addition or tax paid or discount granted on the goods shall be indicated. Discounts shall be given on the price of the goods marked on the price tags. The business shall be responsible for the maintenance of its facilities and premises and its immediate surroundings (sidewalk, yard, etc.). In case of antique shops, a certificate confirming authenticity shall be attached to each article in accordance with the guidelines/instructions of the National Museum.

**16. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF SPORTS & RECREATIONAL CLUBS**

- A. Location - The locality and environs including approaches shall be pleasant with proper ingress and egress. The facade and architectural features shall be appropriately designed.
- B. Parking - There shall be provided adequate and secured parking space to customers.
- C. Security - Adequate security shall be provided at all times.
- D. Reception - A receptionist shall be available to usher in guests. A waiting lounge with telephone shall also be provided.
- E. Dining Room - There shall be a dining outlet adequate in size, with pleasant atmosphere and furnished with appropriate and well-maintained furniture.
- F. Sports and recreational equipment - There shall be clean, hygienic and adequate sports and recreational equipment available for rent.

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- G. Public Washrooms - There shall be provided adequate and accessible toilet facilities separately for male and female. Tissue paper, soap, hand/paper towel shall also be provided.
- H. Locker area and facilities - There shall be adequate number of lockers for male and female. Dressing areas and shower cubicles shall also be provided.

**17. MINIMUM STANDARD REQUIREMENTS FOR THE OPERATION AND MAINTENANCE OF TARGET SHOOTING RANGE**

- A. Location - The target shooting range shall be located at least 1000 meters away from the highway or major transportation route. If not, it shall be securely located so as not to endanger life or limb;
- B. Clubhouse - The target shooting range facilities shall include a clubhouse. It shall be properly ventilated, well lighted and safely located. An information counter and a lobby shall also be provided;
- C. Coffee Shop/Restaurant - There shall be a coffee shop/restaurant;
- D. Public Washrooms - separate public washrooms for male and female shall be provided. These shall be supplied with adequate running water, soap (liquid/bar), hand dryer or towel, toilet paper and mirror. These shall also be kept free from offensive odor and maintained properly at all times;
- E. Pits - The pits shall be at least 8 feet deep and 5 feet wide with the same length as the target wall;
- F. Back-stop - The back-stop shall either be natural (mountain hill) or artificial. If artificial, it shall be made of concrete with the size of 15 feet high and 1 foot thick stacked with sand bag or with material that could embed bullet heads;
- G. Target Wall - Natural target wall shall be fronting the mountain or hill. If artificial, the target wall shall be able to stop bullets of any calibre;
- H. Shooters Spectators Area - An air-conditioned shooters spectator's area shall be provided;
- I. For safety measures, the following shall be observed/provided:
  - 1. Doctor-on-call or registered nurse on duty;
  - 2. First aid equipment;
  - 3. Instructional manual/audio-visual materials in foreign languages;
  - 4. Well-trained and experienced range officer;
  - 5. A ratio of one fire range officer per tourist bay;
  - 6. Well-maintained and well-conditioned guns;
  - 7. Adequate fire-fighting facilities;
  - 8. Protective eye and ear equipment.

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**ARTICLE X  
TOURIST ARRIVAL REPORT AND CLEARANCE**

**SECTION 32. MONTHLY TOURIST ARRIVAL REPORT.** All owners/operators/proprietors of accommodation establishments, such as hotels, apartelles, pension houses, lodging houses, tourist inns, transient houses, resorts and the like, shall submit their respective monthly report of all tourist arrivals, both to the Municipal Tourism Office and Provincial Tourism Office in hard and soft copies (excel format) for proper monitoring, information and guidance of said offices.

**SECTION 33. CONFIDENTIALITY, PRIVACY AND SECURITY OF INFORMATION.** Documents filed/submitted with tourism offices shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned when the public interest so requires or by competent court. Any official or employee who shall violate the provision of this section shall be administratively and criminally charged in accordance with R.A. 10173, or the Data Privacy Act of 2012.

**SECTION 34. ANNUAL CLEARANCE CERTIFICATE.** All owners/operators/proprietors of accommodation establishments such as hotels, apartelles, pension houses, lodging houses, resorts and the like, shall secure an Annual Clearance Certificate from the Provincial Tourism Office, as proof of their compliance in the minimum requirements stated in this code. Said clearance certificate shall be a requirement in the issuance/or renewal of business permits.

**SECTION 35. MONITORING AND EVALUATION SYSTEM.** There shall be an established monitoring and evaluation system by the Provincial and Municipal tourism offices in order to evaluate the economic, social, and environmental impact of the tourism programs, projects and activities. Monitoring and evaluation shall be carried out through indicators including surveys, observation, comments and reports on the following criteria, among others:

- A. Service quality;
- B. Participation of local communities;
- C. Proper environmental protection;
- D. Areas of improvement.

**ARTICLE XI  
ACCREDITATION**

**SECTION 36. REQUIREMENTS FOR ACCREDITATION.** For purposes of accreditation, accommodation establishments and tourism-related establishments shall comply with the following:

**A. Local Requirements:**

- 1) Submission of Monthly Tourist Arrival Report for accommodation establishments;
- 2) Disaster Risk Management and Evacuation Plan, as approved by C/MDRMO.

**B. DOT requirements** – comply with the DOT requirements online through its website – [http:// accreditationonline.tourism.gov.ph](http://accreditationonline.tourism.gov.ph)

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**SECTION 37. INCENTIVES FOR ACCREDITED TOURISM ORIENTED/RELATED ESTABLISHMENTS.** Tourism-related establishments, which are duly accredited by the DOT, shall be entitled to the following incentives:

- a. Assistance to the processing of DOT Accreditation, permits and other licenses;
- b. Free promotion in all publications, brochures, tourism flyers, leaflets, and other promotional materials;
- c. Inclusion in Lakbay-Aral Tours /tour packages;
- d. Endorsement to COMELEC for exemption from Liquor ban during Election-related events (for accommodation establishments and restaurants only);
- e. Priority to DOT Training Programs;
- f. Priority to participate in Tourism and Travel Fairs with the Province;
- g. Issuance of DOT ID Card to *bona fide* employees;
- h. Endorsement to LTFRB for Issuance of Tourist Transport Franchise (for Tourist Land Transport, Vehicles only);
- i. Technical/Security/Facilitation Support or Assistance.

**SECTION 38. – COPY OF ORDINANCE MADE AVAILABLE FOR INSPECTION.**

Every company, firm and/or related establishments engaged in the business of or related to tourism shall be given a copy of this ordinance for their guidance.

**SECTION 39. POWER TO HEAR AND RESOLVE COMPLAINTS.** – The Provincial

Legal Office (City/Municipal Legal Office), upon the recommendation of the Provincial (City/Municipal) Tourism Office, shall hear and render resolutions/recommendations on complaints filed against companies and establishments by guest/clients herein mentioned for violation of any of the provisions of this Code.

**SECTION 40. CODE OF ETHICS.** Tourism-related establishment

owners/keepers/managers and or their sectoral association, if any, shall formulate a Code of Ethics which shall govern the conduct of their respective members in their dealing with one another and the conduct of their staff or employees toward each other and/or clients.

**ARTICLE XII  
SUPPLEMENTARY PROVISIONS**

**SECTION 41. NATIONAL LAWS, RULES, REGULATIONS AND ISSUANCES**

**APPLICABILITY.** In the adoption of all the provisions of this Code, reference shall always be made to the existing national laws more particularly on the acts of Congress, Presidential Decrees, and all rules and regulations appertaining to tourism. In case of conflict between the herein Code and national laws, Presidential Decrees, issuances, and rules and regulations, the latter laws shall prevail without necessarily voiding the remaining provisions of this Code.

**SECTION 42. PROHIBITED ACTS.** The following acts and omissions shall be prohibited:

- 1. Making any false declaration or statement or making use of any such declaration or statement or any document containing the same of committing fraud or any misrepresentation for the purpose of obtaining the issuance, grant or renewal of any certificate of registration/accreditation/reaccreditation of license;

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2. Failure to comply with or contravene any of the conditions set forth in the license;
3. Failure to meet the standards and requirements for the operation of tourism establishments, as prescribed in this Code;
4. Non-submission of Arrival Report for two (2) consecutive years;
5. Serious physical injury or loss of life of any guest due to the fault or negligence of its official or employee (for resort/hotel/tourist inn/appartelle and other tourism-related establishments);
6. Allowing or permitting the tourism establishment, including any of its facilities, to be used for illegal, immoral, illicit activities, such as gambling, prostitution, etc. (for resort/hotel/tourist inn/appartelle/transient and other tourism-related establishments);
7. Violation of any of the conditions of the LTFRB franchise (for tourist transport operations);
8. Tolerance of gross misconduct, discourtesy, dishonesty, or misrepresentation and/or fraudulent solicitation of business committed by any of the officers or employees against their clients detrimental to tourism industry;
9. Wilful violation of agreements and/or contracts entered into by the tourism establishment and its clients;
10. Failure to pay fine, as well as, fees, due and contribution imposed under existing rules;
11. Non-settlement of accounts and/or non-remittance of collections due to carrier of their co-agencies, or any agency of the government or any individual within the period prescribed by law;
12. Any other acts/omissions that worked against the interest of the tourism industry.

**SECTION 43. PENALTIES.** The prohibited acts and omissions enumerated in the next preceding section shall be meted with the following penalties:

1. Pars. 1, 2, 3, 4, 7, 10, and 11 shall be meted with the penalty of cancellation of permit, closure of the establishment, and a fine in the amount of ₱3,000.00;
2. Pars. 8 and 9 shall be meted with the penalty of cancellation of permit, closure of the establishment, and a fine in the amount of ₱5,000.00;
3. Pars. 5 and 6 shall be meted with imprisonment not exceeding one (1) year or a fine not exceeding ₱5,000.00, or both in the discretion of the court. The said penalties shall be in addition to the cancellation of permit and closure of establishment;
4. Acts or omissions which may fall under par. 12 may be punished with: a) imprisonment not exceeding one (1) year or a fine not exceeding ₱5,000.00, or both in the discretion of the court; b) cancellation of permit and closure of establishment; c) both a and b, depending on the gravity of the damage to the tourism industry.

The penalties imposed herein shall be without prejudice to the penalties that are already imposed by existing laws, for which they may be prosecuted therefor, at the option of the provincial or local government. If the offender of the provisions in the next preceding section hereof is a corporation, partnership, firm or associations, the penalty provided therefore shall be imposed upon the officer or officers responsible for the violation.

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**SECTION 44. LIABILITY OF KEEPERS/MANAGERS/OPERATORS FOR ACTS OR OMISSION OF TOURISM ORIENTED AND TOURISM RELATED ESTABLISHMENTS EMPLOYEES.**

Without prejudice to the provision of existing laws, keepers/managers/operators and assistants of the tourist establishments shall be administratively liable for the acts or commissions of any of its members against any guest/visitor. They may however be exempt for the liability if they could establish that they have exercised the diligence of a good father of the family in the supervision of the erring employees, or where the acts or commissions complained of are beyond the control of the keeper/manager/operator or their assistants due to fortuitous event or force majeure.

**SECTION 45. PERIODIC INSPECTION.** The Provincial Tourism Office, in coordination with the tourism offices of the city and municipalities of the province, shall conduct periodic inspection of tourism establishments.

The inspection shall be conducted at a reasonable time of the day with due regard to the privacy of the guests of the establishment. All inspection shall be covered by mission orders issued by the Provincial Tourism Office and the City/Municipal Tourism Office and approved by the local chief executive having jurisdiction over the establishments to be inspected.

**SECTION 46. ACCESS TO RECORDS AND PREMISES.** The inspection team shall have access to the premises of the tourist establishment and all parts and facilities thereof. It shall also be afforded access to the registry book, records, or card of the establishment.

The inspection team has the right to interview any employee and investigate any fact, condition, or matter, which may be necessary for the implementation of this Code and applicable laws.

The data or information gathered by the inspection team shall be used exclusively and principally for regulation of the tourism industry, enforcement of this Code and applicable laws, and for policy purposes only. Hence, in all cases, all data or information obtained by the inspection team are strictly confidential and shall not be disclosed or published in public.

In order to ensure that the data privacy rights are respected and that the data or information processed are protected, the provisions on data privacy of the Data Privacy Act of 2012, its Implementing Rules and Regulations and other applicable issuances of National Privacy Commission shall be strictly complied with.

**SECTION 47. DEFECTS AND DEFICIENCIES DETERMINED DURING INSPECTION.**

Where certain defects and deficiencies were found and determined during the inspection, the Provincial Tourism Office and the City/Municipal Tourism Office shall notify and direct the owner, manager, or operator of the tourism establishment to rectify the defects and deficiencies within fifteen (15) working days from notice thereof. The given period may be extended upon showing of good cause but in no case shall exceed two (2) months.

**SECTION 48. PENALTY FOR FAILURE TO REMEDY DEFECTS.**

If the management of any tourism-oriented and tourism-related establishment fail to remedy the defects or deficiencies noted, the Provincial Tourism Office shall impose

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a fine of two hundred fifty pesos (₱250.00) for every day of delay in complying with directions, but in no case shall the fine exceed the sum of five thousand pesos (₱5,000.00).

Provided that where the maximum fine imposable under this section has been reached and the tourism establishment concerned has continuously failed to rectify the defects or completed the deficiencies noted, the Provincial Tourism Office shall cause the suspension of the certificate of registration/license/permit for six (6) months.

Permits/licenses shall not be renewed unless after the proponent has complied to and settled all his previous responsibilities to the government.

**SECTION 49. APPLICABILITY OF THE ENVIRONMENT CODE OF THE PROVINCE OF BATAAN.** Relevant provisions of the Environment Code of the Province to the Tourism Industry are hereby adopted to highlight the overriding importance of environment preservation and protection, particularly the following sections:

- a. Section 40 on the protection, conservation, and rehabilitation of mangroves;
- b. Section 41 on the Pawikan conservation, protection, and management;
- c. Section 98 on Ecotourism development and business plan;
- d. Section 99 on Prohibited and Punishable Acts; and
- e. Section 100 on the imposition of Fines and Penalties.

**SECTION 50. APPLICABILITY OF THE PROVINCIAL INVESTMENT INCENTIVES ORDINANCE OF BATAAN.** Under Chapter 4, Section 12 of Provincial Ordinance No. 07-2009, or the Provincial Investment Incentives Ordinance of Bataan, the following types of business are preferred and given priority:

- a. Enterprise to be established in less developed areas in the province shall be given priority;
- b. Manufacturing enterprises using raw materials available locally;
- c. Manufacturing and Processing Plant; and
- d. Tourism - Oriented Enterprises including medical tourism facilities - tertiary hospitals for medical tourism.

Section 16 provides that the Provincial Government of Bataan guarantees to all the said enterprises full entitlement of their rights and privileges under the ordinance and other laws and shall, among others:

- f. Disseminate to investors and the general public, the investment evaluation criteria and registration procedures to enhance government transparency in granting incentives;
- g. Take into full account the need of investors for industrial peace stability, growth and profit in their operations whenever policies are to be formulated and modified affecting investments in the province;

For the purposes of this Code, these provisions of the Provincial Investment Incentives Ordinance are hereby adopted.

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**ARTICLE XIII  
FUNDING REQUIREMENTS**

**SECTION 51. REGULAR BUDGET.** To ensure the development of tourism facilities, access roads and amenities, the LGUs shall include in their annual budgets such estimated funding requirements as well as programs, projects and activities for local tourism.

**SECTION 52. FUNDING SUPPORT FROM THE NATIONAL GOVERNMENT.** Specific tourism projects may be undertaken with funding support from the National Government through representations made by the LGUs.

**ARTICLE XIV  
FINAL PROVISIONS**

**SECTION 53. LOCAL TOURISM CODES.** The city and municipalities of the Province are hereby encouraged to enact or revise their respective local tourism codes to be in consonance with the provisions of this Code.

**SECTION 54. SEPARABILITY CLAUSE.** If, for any reason or reasons, any part or provision of this Code shall be declared invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.

**ARTICLE XV  
EFFECTIVITY OF CODE**

**SECTION 55. EFFECTIVITY OF CODE.** This Code shall take effect in accordance with the provisions of the Local Government Code of 1991.

RELATED LAWS, RULES, REGULATIONS

Republic Act (R.A.) No. 9593, otherwise known as the Tourism Act of 2009

R.A. No. 9729, otherwise known as the Climate Change Act of 2009

R.A. No. 7160, otherwise known as the Local Government Code of 1991

R.A. No. 8371, otherwise known as the Indigenous Peoples' Rights Act of 1997

R.A. No. 7586, otherwise known as the National Integrated Protected Areas System Act

R.A. No. 11038, otherwise known as the Expanded National Integrated Protected Areas System Act of 2018 (E-Nipas Act)

R.A. No. 10066, otherwise known as the National Cultural Heritage Act

R.A. No. 10121, otherwise known as the Philippine Disaster Risk Reduction and Management Act of 2010

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R.A. No. 9749, otherwise known as the Philippine Clean Air Act of 1999

R.A. No. 9275, otherwise known as the Philippine Clean Water Act of 2004

R.A. No. 6969, otherwise known as the Toxic Substances and Hazardous and Nuclear Waste Control Act

R.A. No. 9003, otherwise known as the Ecological Solid Waste Management Act of 2000

R.A. No. 9994, otherwise known as the Expanded Senior Citizens Act of 2010

R.A. 9514, otherwise known as the Fire Code of the Philippines of 2008

R.A. 7610, otherwise known as Special Protection of Children Against Abuse, Exploitation and Discrimination Act

R.A. 10754, otherwise known as An Act Expanding The Benefits And Privileges Of Persons With Disability

R.A. 10173, otherwise known as the Data Privacy Act of 2012

Batas Pambansa Blg. 344, otherwise known as the Accessibility Law

Presidential Decree No. 1586, establishing an Environment Impact Statement System

Presidential Decree No. 1152, otherwise known as the Philippine Environment Code

Presidential Decree No. 856, otherwise known as the Code on Sanitation of the Philippines

Presidential Executive Order No. 120 as amended, as to the formulation of strategies for biological diversity

Executive Order No. 111 as to the adoption of ecotourism as the developmental model for sensitive natural and cultural areas

Executive Order No. 247 which prescribes guidelines for the protection of biological and genetic resources

DENR Administrative Order No. 2013-19

DENR Administrative Order No. 2004-28

DENR Administrative Order No. 99-34

DENR Administrative Order No. 2009-09

DENR Administrative Order No. 2013-19

DENR-BMB Technical Bulletin 2016-03

DENR Administrative Order No. 2004-28

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Philippine Coast Guard Memorandum Circular 03-14

Province of Bataan - Provincial Ordinance No. 18 establishing the Provincial Tourism Office

Province of Bataan - Provincial Ordinance No. 03 s. 2018 establishing the Provincial Council for Culture and the Arts

Province of Bataan - Provincial Ordinance No. 02 s. 2015 establishing the Bataan Historical Council

Province of Bataan - Provincial Ordinance No. 07 s. 2009, or the Provincial Investment Incentives Ordinance of Bataan

Province of Bataan - Provincial Ordinance 05 s. 2019

Environment Code of the Province of Bataan

Executive Order No. 62 s. 2017 establishing the Tourism Planning Committee

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Other reference:

Tourism Code of the Province of Zambales

Tourism Code of the Province of Nueva Ecija

DOT Administrative Orders, Memo Circulars, Rules and Regulations

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SEVERINO P. SALAZAR  
Secretary to the SP

*JOMAR L. GAZA J.D.*  
Board Member

*REYNALDO T. IBE, JR.*  
Board Member

*GODOFREDO B. GALICIA, JR., M.D.*  
Board Member

*MARIA KRISTINE G. DELA FUENTE*  
Board Member

*ALBERT S. GARCIA*  
Provincial Governor

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*Maria Margarita R. Roque*

*Maria Margarita R. Roque*  
MARIA MARGARITA R. ROQUE  
Board Member

*Manuel N. Beltran*  
MANUEL N. BELTRAN  
Board Member

*Edgardo P. Calimbas*  
EDGARDO P. CALIMBAS  
Board Member

*Jose C. Villapando, Sr.*  
JOSE C. VILLAPANDO, SR.  
Board Member

*Romano L. Del Rosario*  
ROMANO L. DEL ROSARIO  
Board Member

*Noel Joseph L. Valdecañas*  
NOEL JOSEPH L. VALDECAÑAS  
Board Member  
(PCL President)

*Precious D. Manuel*  
PRECIOUS D. MANUEL  
Board Member  
(SKF President)

*Rosita N. Sison*  
ROSITA N. SISON  
Board Member  
(IPM Representative)

ATTESTED:

*Ma. Cristina M. Garcia*  
MA. CRISTINA M. GARCIA  
Vice Governor  
(Presiding Officer)

APPROVED:

*Albert S. Garcia*  
ALBERT S. GARCIA  
Provincial Governor  
Date: 12-28-2020

*Albert S. Garcia*

*Rosendo Manabat Jr.*  
ROSENDO MANABAT JR.  
01-07-21  
09-PM

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