Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

THIRTEENTH CONGRESS
First Regular Session

HB NO. 1363

Introduced by **Rep. Roseller L. Barinaga**

EXPLANATORY NOTE

The Philippine is endowed with great scenic beauty, historically significant sites, cultural resources and a population whose traditions are attractive to tourists. These assets should be preserved and nurtured, not only because they are appreciated by others but because they are valued by the country's very own citizens.

Tourism is beneficial to our society as a whole. It helps improve our economic well-being by contributing to employment, generating income for local businesses and increasing international trade. It sparks an awareness in the eyes of our own people and of the world to the beauty of our land, its history, culture and traditions. It provides an indispensable educational tool for our people to learn about their geography and history, political institutions, artistic and historic wealth.

The National government, for the past years, has encouraged tourism and recreation explicitly in a number of decrees, executive orders and legislative enactments. However, the tourism industry is confronted with problems of policy directions and effective coordination with government agencies and private sector groups. There is a need to lay down integrated and coordinated policies, plans, and strategies that the industry will follow for the accomplishment of tourism-related programs and projects.

It is the purpose of this bill to lay down the policies for the tourism industry and create an interagency coordinating council to efficiently and effectively coordinate the functions and resources of government agencies in tourism programs geared toward the attainment of such policies.

It is for this reason that passage of this bill is sought.

ROSELLER L. BARINAGA
Representative
2nd District, Zamboanga del Norte

Congress of the Philippines)
Thirteenth Congress)
First Regular Session)

HOUSE OF REPRESENTATIVES

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AN ACT
ESTABLISHING A NATIONAL TOURISM POLICY
AND APPROPRIATING FUNDS THEREFOR

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

SECTION 1. *Title.* This Act shall be known as the "National Tourism Policy Act of 2004."

SEC. 2. *Objectives.* The development, promotion and advancement of tourism as a major national activity shall be pursued in accordance with the policies, strategies and programs enunciated by the government. The State shall seek to:

a) Ensure the development of Philippine tourism that is for and by the Filipino people, conserving and promoting our heritage, national identity, and sense of unity;

b) Recognize tourism development as integral to the national socio-economic development efforts to improve the quality of life of the Filipino people, receiving the appropriate attention and financial support necessary for the growth of this industry;

c) Promote a tourism industry that is ecologically sustainable by maintaining a balance between economic development, and environment and natural resource protection; and

e) Create a favorable image of the Philippines within the international community of nations, thereby strengthening the country's attraction as a tourism destination and eventually paving the way for other benefits that may result from a positive global view of the country.

SEC. 3. *National Tourism Policy.* In pursuance of the above objectives, the State hereby adopts the following policies:

a) Encourage activities and programs which promote tourism awareness while at the same time preserving the country's diverse cultures and heritage, and instilling a sense of history among the youth and the populace in general;

b) Promote the preservation of traditional craft skills, production of handicrafts and folk arts by private artisans in the regions where their products have a special appeal to tourists, and the holding of craft demonstrations, trade shows, and expositions;

c) Encourage the use of indigenous architectural designs and materials in the construction of tourism facilities to the greatest extent possible;

d) All things being equal, grant preferential treatment to the employment of Filipino nationals in tourism-related enterprises;

e) Provide full government assistance by way of competitive investment incentives, long-term development funds made available by government financing institutions, and other financing schemes extended to Filipino-owned enterprises;

f) Ensure that tourism development protects and promotes the general well-being of the Filipino people, particularly in the area of investments, to include the monitoring and prevention of any act of profiteering or speculation to the detriment of local residents;

g) Encourage competition in the tourism industry and maximize consumer choice by enhancing the continued viability of the retail travel industry and independent tour-operation industry;

h) 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;

i) Develop eco-tourism as a strategy for low impact, 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, and ensuring full enjoyment of the benefits thereof by the concerned communities;

j) Encourage the participation of non-government organizations, people's organizations and the private sector in initiating programs for tourism development and environmental protection;

k) Rationalize existing civil aviation, land and sea transportation policies as they relate to tourism, in consonance with existing bilateral agreements and inter-agency pronouncements;

l) Promote the convention handling capabilities of the country in order to regain its position as a leading convention center in Asia;

m) Achieve a balance in tourism development between urban cities and rural areas;

n) Grant preferential attention to tourism-oriented projects of local government units (LGUs) and to domestic tourism, thereby ensuring accessible and affordable destinations throughout the country;

o) Maintain international standards of excellence in all tourism-oriented facilities, accommodation and services, and promote the country as a safe, wholesome and competitive tourist destination;

p) Enhance international business relation for the support of tourism-oriented projects of the private sector, through partnerships, joint ventures and other cooperative undertakings involving local and foreign investors;

q) Recognize and adhere to the principles embodied in the Manila Declaration on World Tourism Conference held on October 1, 1980 and the Tourism Bill of Rights and Tourist Code of 1985 of the General Assembly of World Tourism Organization Session, dated October 17 to 26, 1985.

SEC. 4. *Role of the Department of Tourism; Additional Mandate*. The Department of Tourism shall be the lead agency to implement the provisions of this Act. review, integrate, and synchronize the policies, plans, programs and services of government and private agencies related to tourism.

For the furtherance of this Act, the Department shall have the following additional mandate:

a) To determine, monitor and review the participation of all concerned agencies and coordinate the policies and programs affecting tourism recreation, national heritage, and environmental and natural resource preservation;

b) To closely coordinate and work with all government agencies concerned, local government units (LGUs) and the private sector to ensure the smooth implementation of tourism plans and programs;

c) To assist in the maximum participation of the private sector in tourism development and support the organization and activities of local tourism councils;

d) To formulate and enforce a system of accountability for short and long term adverse environmental impact of tourism projects, programs or activities, which shall include the setting up of a funding or guarantee mechanism for clean-up and environmental rehabilitation and compensation for personal damages;

e) To prepare a national eco-tourism strategy/program which shall guide the development, promotion and management of sustainable eco-tourism in the country, incorporating as among its main features the identification of eco-tourism sites, involvement of local communities, protection of the rights of indigenous peoples, environmental education and information campaign, and provision of technical and financial assistance to communities which are included in the network of tourism sites;

f) To create a National Eco-tourism Steering Committee and Regional Eco-tourism Committees to effectively implement the national eco-tourism strategy/program, and to act as arbitrators during conflict pertaining to eco-tourism issues;

g) To call upon any government or private entity for assistance or support whenever deemed necessary to carry out the provisions of this Act;

h) Whenever necessary, to create such committees to conduct studies for the formulation of policies, plans, programs and activities for the attainment of the purposes of this Act; and

i) To exercise or perform such other powers and functions as may be deemed necessary, proper or incidental to the attainment of its objectives.

SEC. 5. *Annual Reports.* The Department of Tourism shall submit an annual report for the preceding fiscal year to the President of the Philippines for transmittal to Congress on or before the thirty-first day of December of each year, which shall include a comprehensive and detailed report of the activities and accomplishment of the Department.

SEC. 6. *Rules and Regulations.* The Secretary of Tourism, in collaboration with other government agencies concerned, shall promulgate the rules and regulations necessary for the effective implementation of this Act.

SEC. 7. *Repealing Clause.* All laws, decrees and executive order inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 8. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in at least two (2) national newspapers of general circulation, whichever comes earlier.

Approved.