

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

House Bill NO. 2257

Introduced by HON. EDGAR M. CHATTO
1ST DISTRICT, BOHOL

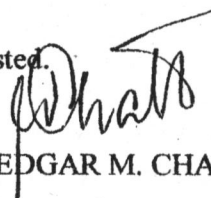
EXPLANATORY NOTE

Policy is a more general notion than a decision. A policy covers an array of decisions, and it involves a predisposition to respond in a specific way. When a government says, our policy favors public transport, it is merely stating an intention to make specific decisions with this attitude in mind. Being an important revenue-raising industry, tourism must have a national policy based on rule-following institutions rather than personal rule. This policy must: 1.) guide the course and pace of tourism development and ensure continuity of programs by establishing a long-term policy framework for the industry to follow; 2.) coordinate the functions and resources of government agencies in tourism programs and enlist the participation of the private sector, local communities and indigenous peoples toward the attainment of such policies; and 3.) improve the quality of life of the people by promoting ecotourism as a strategy for low-impact, environmentally sound and community participatory tourism programs that promotes a balance between economic development and environment and natural resource protection.

Presently, however, there is no national policy governing the tourism industry. If at all, the industry reacts and functions in accordance with the general policy statements of the President found in the annual state of the nation address, which has to be processed by the executive department. While this may go through the usual initiation, formulation, implementation, evaluation and review, in accordance with the stages of public policy making, the crafting of a national tourism policy through the legislative arena will make it more institutionalized.

Incorporating a national tourism policy in our statute books will effectively enable the public and private sectors to integrate and coordinate policies, plans and strategies for the industry to accomplish its programs and projects.

Support for the enactment of this bill is earnestly requested.


REP. EDGAR M. CHATTO

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

THIRTEENTH CONGRESS
First Regular Session

House Bill NO. 2257

Introduced by HON. EDGAR M. CHATTO
1ST DISTRICT, BOHOL

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
- (d) Create a favorable image of the Philippines within the international community of nations, thereby strengthening the country's attraction as 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 preserve 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 fund 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 investment, 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;

HOUSE OF REPRESENTATIVES
LEGISLATIVE ARCHIVES SERVICE

- (p) Enhance international business relations 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. *Creation of a Tourism Development Council.* – To implement the provisions of this Act, the Tourism Development Council is hereby created, hereinafter referred to the “Council”, to review, integrate, and synchronize the policies, plans, programs and services of government and private agencies related to tourism.

SEC. 5. *Composition.* – The Council shall be composed of seventeen (17) members, as follows:

1. The Secretary of the Department of Tourism;
2. The Secretary of the Department of Environment and Natural Resources;
3. The Secretary of the Department of Transportation and Communications;
4. The Secretary of the Department of Public Works and Highways;
5. The Secretary of the Department of Trade and Industry;
6. The Secretary of the Department of the Interior and Local Government;
7. The Secretary of the Department of Agriculture;
8. The Dean of the University of the Philippines, Asian Institute of Tourism;
9. Three (3) members representing the private sector:
 - a.) The head of the Hotel and Restaurant Association of the Philippines (HHRAP);
 - b.) The head of the Philippine Tour Operators Association (PHILTOA); and
 - c.) The head of the Philippine Travel Agencies Association (PTAA)
10. Three (3) members representing the transportation sector:
 - a.) The Chairman of the Board of Airline Representatives;
 - b.) The representative from the land transport sector; and
 - c.) The representative from the sea transport sector
11. One (1) member representing the Regional Tourism Councils;
12. One (1) member representing the indigenous peoples; and
13. One (1) member representing the women sector.

The Secretary of Tourism shall be the Chairperson. He shall appoint the respective representatives to the Council from nominees of the private and transportation sectors, the Regional Tourism Councils, the indigenous peoples and the women sector. The Council shall elect the Vice Chairperson from among the representatives of the private sector.

SEC. 6. *Meetings.* – The Council shall meet at least six (6) times a year. Special meetings shall be held upon the call of the Chairperson or a majority of its members. A member who is unable to attend a session of the Council may designate an alternate who must be of sufficient rank and properly authorized to make decisions in behalf of the agency that is represented.

SEC. 7. *Powers and Functions.* – The Council shall have the following powers and functions:

- (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 the maximum participation of the private sector in tourism development and support the organization and activities of local tourism councils;
- (d.) 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, 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. 8. *Annual Reports.* – The Tourism Development Council shall submit an annual report for the preceding fiscal year to the President of the Philippine 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 accomplishments of the Council and its policy committees, results of effort to coordinate the plans, programs and projects of member agencies affecting tourism and recreation, and its efforts to resolve inter-agency conflicts and to develop areas of cooperative program activities.

SEC. 9. *Secretariat.* – The Secretariat of the Council shall be composed of officials and employees from the offices that are members of the Council.

SEC. 10. *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. 11. *Appropriations.* – The Secretary of the Department of Tourism shall immediately include in the Department's programs the implementation of this Ac, the funding of which shall be included in the Annual General Appropriations Act.

SEC. 12. *Repealing Clause.* – All laws, decrees and executive orders inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SEC. 13. *Effectivity.* – This Ac 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.