



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

Nineteenth Congress

First Regular Session

House Bill No. **4255**



Introduced by:

HON. MARISSA 'DEL MAR' P. MAGSINO
ONE FILIPINOS WORLDWIDE (OFW) PARTYLIST

EXPLANATORY NOTE

Republic Act No. 9593, also known as the 'Tourism Act of 2009', declares as state policy that:

'Tourism is an indispensable element of the national economy and an industry of national interest and importance, which must be harnessed as an engine of socioeconomic growth and cultural affirmation to generate investment, foreign exchange and employment, and to continue to mold an enhanced sense of national pride for all Filipinos.'

Tourism brings huge economic potentials for a destination that wishes to develop its tourism industry. It generates employment opportunities which in turn provide income, currency exchange, taxes, and stimulate spending that bring money in, which can then be reinvested to benefit the local communities as well as the national economy. This is known as the multiplier effect.

As measured by the share of Tourism Direct Gross Value Added (TDGVA) to the Gross Domestic Product (GDP), the contribution of tourism industries to the Philippine economy was estimated at 12.7 percent in 2018 valued at Php 2.2 trillion. TDGVA serves as the indicator to measure the value added of different industries in relation to tourism activities of both inbound and domestic visitors in the country¹.

Local government units (LGUs) play an important role in tourism development. Local authorities invest in tourist attractions and infrastructure, maintain public and environmental assets such as beaches, heritage sites and parks, and support festivals, events and tourism promotion in their respective localities. On the other hand, the national government is tasked to spearhead the development and implementation of national tourism action plans,

¹ Philippine Statistics Authority. 'Contribution of Tourism to the Philippine Economy is 12.7 percent in 2018', Reference No.: 2019-093, Release Date: 06 June 2019

construct roads and communication infrastructures, and provide a stable peace and order environment, which tourists look for in deciding where to visit. Hence, the need for complementation and coordination.

Indeed, RA 9593, while with due regard to the principle of local autonomy, mandates LGUs to integrate and coordinate local and national plans for tourism development, especially in areas identified as strategic in the implementation of the national tourism development plan and which have shown strong comparative advantage. To achieve this objective, Section 42 of RA 9593 provides that every province, city or municipality in which tourism is a significant industry shall have a permanent position for a tourism officer, who shall be responsible for preparing, implementing and updating local tourism development plans, and enforcing tourism laws, rules and regulations.

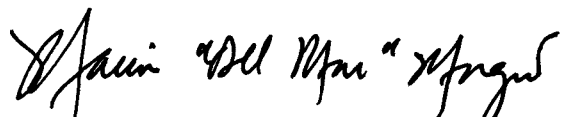
However, most LGUs may be negligent or are unable to comply since Republic Act No. 7160, otherwise known as the "Local Government Code of 1991," contains no such provision. Moreover, the qualifying phrase, '*in which tourism is a significant industry*', as found in Section 42 of RA 9593, possibly engenders the interpretation that the creation of a permanent position for a tourism officer is mandatory only in LGUs where tourism is a significant industry. **There is a need to plug such legal loophole, and at the same time to synchronize the provisions of existing laws on the subject.**

This bill seeks for the mandatory appointment of tourism officers in all provinces, cities and municipalities in the country and provides for their duties and functions by amending relevant provisions of RA 7160, or the Local Government Code of 1991, to be consistent with the pertinent provisions of RA 9593, thereby leaving no room for confusion or misinterpretation of the true intent of the law, and to compel compliance by LGUs.

The creation of the mandatory position of a tourism officer in all LGUs will ensure that there will be local officers responsible and accountable for the development of the tourism industry in their localities, whereby it is harnessed to sustain the nation's economic growth and development.

While it may be argued that the creation of permanent positions for tourism officers in LGUs would entail additional expense in terms of personnel services, it is a small price to pay for the benefits that LGUs could reap from the growth and development of its tourism industry.

For the foregoing reasons, the immediate consideration and approval of this bill is earnestly urged.


HON. MARISSA 'DEL MAR' MAGSINO
Representative, OFW Party List



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AN ACT
PROVIDING FOR MANDATORY APPOINTMENT OF TOURISM OFFICERS IN
PROVINCES, CITIES, AND MUNICIPALITIES, AMENDING FOR THE PURPOSE
REPUBLIC ACT NO. 7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT
CODE OF 1991, AS AMENDED, AND FOR OTHER PURPOSES

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

SECTION 1. Section 443(a) of Republic Act No. 7160, otherwise known as the 'Local Government Code of 1991', as amended, is hereby amended to read as follows:

Section 443. Officials of the Municipal Government. -

- (a) There shall be in each municipality a municipal mayor, a municipal vice-mayor, *sangguniang bayan* members, a secretary to the *sangguniang bayan*, a municipal treasurer, a municipal assessor, a municipal accountant, a municipal budget officer, a municipal planning and development coordinator, a municipal engineer/building official, a municipal health officer, [and] a municipal civil registrar[-], **AND A MUNICIPAL TOURISM OFFICER.**

(b) xxxxx

SECTION 2. Section 454(a) of the same Code, as amended, is hereby amended to read as follows:

Section 454. Officials of the City Government.

- (a) There shall be in each city a mayor, a vice-mayor, *sangguniang panlungsod* members, a secretary to the *sangguniang panlungsod*, a city treasurer, a city assessor, a city accountant, a city budget officer, a city planning and development coordinator, a city engineer, a city health officer, a city civil registrar, a city administrator, a city legal officer, a city veterinarian, a city social welfare and development officer, [and] a city general services officer[.] **AND A CITY TOURISM OFFICER.**
- (b) Xxxxx

SECTION 3. Section 463(a) of the same Code, as amended, is hereby amended to read as follows:

Section 463. *Officials of the Provincial Government.*

- (a) There shall be in each province a governor, a vice-governor, members of the *sangguniang panlalawigan*, a secretary to the *sangguniang panlalawigan*, a provincial treasurer, a provincial assessor, a provincial accountant, a provincial engineer, a provincial budget officer, a provincial planning and development coordinator, a provincial legal officer, a provincial administrator, a provincial health officer, a provincial social welfare and development officer, a provincial general services officer, a provincial agriculturist, [and] a provincial veterinarian[.], **AND A PROVINCIAL TOURISM OFFICER.**
- (b) Xxxxx

SECTION 4. A new Article XXII and a new Section 490-A are hereby incorporated in Title V of the same Code, as amended, to read as follows:

ARTICLE XXII THE TOURISM OFFICER

SECTION 490-A – QUALIFICATIONS, POWERS AND DUTIES

- (A) **NO PERSON SHALL BE APPOINTED TOURISM OFFICER UNLESS HE/SHE IS A CITIZEN OF THE PHILIPPINES, A RESIDENT OF THE LOCAL GOVERNMENT UNIT CONCERNED, OF GOOD MORAL CHARACTER AND IRREPROACHABLE REPUTATION, OF KNOWN INTEGRITY AND COMPETENCE, A HOLDER OF A COLLEGE DEGREE IN TOURISM, BUSINESS, ECONOMICS, MARKETING, PUBLIC ADMINISTRATION OR OTHER RELATED FIELDS, FROM A RECOGNIZED COLLEGE OR UNIVERSITY, AND A FIRST GRADE CIVIL SERVICE ELIGIBLE OR ITS EQUIVALENT. HE/SHE MUST HAVE AT LEAST FIVE (5) YEARS OF SUBSTANTIAL WORK EXPERIENCE AND INVOLVEMENT IN THE TOURISM INDUSTRY, EITHER IN THE PRIVATE SECTOR OR GOVERNMENT.**

THE APPOINTMENT OF A TOURISM OFFICER IS MANDATORY FOR PROVINCIAL, CITY AND MUNICIPAL GOVERNMENTS.

- (B) **THE TOURISM OFFICER SHALL TAKE CHARGE OF THE OFFICE FOR TOURISM AND SHALL:**

- (1) FORMULATE MEASURES FOR THE CONSIDERATION OF THE SANGGUNIAN CONCERNED AND PROVIDE TECHNICAL ASSISTANCE AND SUPPORT TO THE GOVERNOR OR MAYOR, AS THE CASE MAY BE, IN CARRYING OUT MEASURES TO ENSURE THE DELIVERY OF BASIC SERVICES AND PROVISION OF ADEQUATE FACILITIES RELATIVE TO TOURISM SERVICES AS PROVIDED FOR UNDER SECTION 17 OF THIS CODE;
- (2) PREPARE, IMPLEMENT, COORDINATE, MONITOR AND UPDATE TOURISM DEVELOPMENT PLANS OF THE PROVINCE, CITY OR MUNICIPALITY, AS THE CASE MAY BE;
- (3) ENSURE THE PROPER ENFORCEMENT OF TOURISM STANDARDS, LAWS, RULES AND REGULATIONS;
- (4) PROVIDE REGULAR REPORTS ON STATUS OF TOURISM PLANS AND PROGRAMS, TOURIST ARRIVALS, EMPLOYMENT, OCCUPANCY RATES, INVESTMENT AND TOURIST PRODUCTS, AMONG OTHERS, TO THE LOCAL CHIEF EXECUTIVE AND TO THE DEPARTMENT OF TOURISM (DOT);
- (5) COORDINATE WITH THE DOT AND ITS ATTACHED AGENCIES, AS WELL AS CORPORATIONS AND PRIVATE ENTITIES, IN REGARD TO THE DEVELOPMENT AND PROMOTION OF TOURISM IN THE LOCALITY;
- (6) ESTABLISH PARTNERSHIP WITH LOCAL AGENCIES AND PRIVATE ENTITIES IN PROMOTING THE TOURISM OF THE LOCAL GOVERNMENT UNIT CONCERNED; AND,
- (7) EXERCISE SUCH OTHER POWERS AND PERFORM SUCH OTHER DUTIES AND FUNCTIONS AS MAY BE PRESCRIBED BY LAW OR ORDINANCE.

SECTION 5. *Separability Clause* – If any provision of this Act is held invalid or unconstitutional, the other provisions not so declared shall remain in force and effect.

SECTION 6. *Repealing Clause*. — All laws, decrees, orders, and rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

SECTION 7. *Effectivity Clause* — This Act shall take effect fifteen (15) days after its complete publication in in a newspaper of general circulation.

Approved.

