



Introduced by Representative Raul C. Tupas

AN ACT
AMENDING SECTIONS 443, 454, AND 463 OF REPUBLIC ACT NO. 7160
OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT CODE OF 1991"

EXPLANATORY NOTE

Tourism is an integral part of the Philippine economy. The Philippines' archipelagic nature provides the country a diverse range of natural resources and cultures. As a result, the country utilizes its resources to boost the economy through the tourism industry.

In 2019, the tourism industry contributed a total of Php 2.48 trillion to the national economy, equivalent to 12.7 percent of the country's Gross Domestic Product¹. However, a year later, the industry drastically suffered from restricted borders and low tourist influx due to the COVID-19 pandemic. Tourism revenues dropped to Php 917.20 billion in 2020². In 2021, there was a slight rebound with the industry generating revenues amounting to Php 1,001.30 billion, representing a 9.2 percent increase over the previous year.

Following the de-escalation of COVID-19 measures after the pandemic, the industry, being vital to the Philippine economy, must be supported to contribute to the government efforts of poverty reduction, job generation, inclusive growth, and sustainable development. This calls for the need to fortify the tourism safeguards provided under Republic Act No. 9593, otherwise known as "The Tourism Act of 2009."

Section 42 of Republic Act No. 9593 provides that every province, city or municipality in which tourism is a significant industry shall have a permanent position for a tourism officer. The same provision provides that tourism officers shall be responsible for preparing, implementing and updating local tourism development plans, and enforcing tourism laws, rules and regulations³. However, the local government units where tourism is an important industry fall short in the creation of permanent positions for tourism officers. Furthermore, Republic Act No. 7160, otherwise known as the "Local Government Code of

¹ Philippine Statistics Authority, Share of Tourism to GDP is 12.7 percent in 2019, June 19, 2020, <https://psa.gov.ph/content/share-tourism-gdp-127-percent-2019>

² Philippine Statistics Authority, Share of Tourism to GDP is 5.2 Percent in 2021, June 16, 2022, <https://psa.gov.ph/content/share-tourism-gdp-52-percent-2021>

³ Official Gazette, Republic Act No. 9593, May 12, 2009, <https://www.officialgazette.gov.ph/2009/05/12/republic-act-no-9593-s-2009/>

1991" does not include the provision of permanent positions of tourism officers in the exclusive list of officers for every local government unit. Without a specific amendatory clause in The Tourism Act of 2009, local government units fail to establish permanent positions for tourism officers.

This proposed measure intends to address the issue by amending the pertinent provisions of the Local Government Code of 1991 and ensuring that permanent positions for tourism officers are created in cities, municipalities, and provinces where tourism is significant industry. This measure will strengthen and promote the growth of the tourism industry and aid in the economic recovery for the country.

In view of the foregoing, the passage of this bill is earnestly sought.

A handwritten signature in black ink, appearing to read 'R. Tupas', is positioned above the printed name.

RAUL "BOBOY" C. TUPAS

HOUSE OF REPRESENTATIVES
H. NO. 7186

Introduced by Representative Raul C. Tupas

AN ACT AMENDING SECTIONS 443, 454, AND 463 OF REPUBLIC ACT
NO. 7160 OTHERWISE KNOWN AS THE "LOCAL GOVERNMENT
CODE OF 1991"

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

SECTION 1. Sections 443 of Republic Act No. 7160, otherwise known as the
"Local Government Code of 1991" 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.

**IN MUNICIPALITIES WHERE TOURISM IS A
SIGNIFICANT INDUSTRY, A TOURISM OFFICER SHALL
ALSO BE APPOINTED, IN ACCORDANCE WITH THE
QUALIFICATIONS SET FORTH IN REPUBLIC ACT NO.
9593, OTHERWISE KNOWN AS "THE TOURISM ACT OF
2009."**

1 (b) In addition thereto, the mayor may appoint a municipal
2 administrator, a municipal legal officer, a municipal
3 agriculturist, a municipal environment and natural resources
4 officer, a municipal social welfare and development officer,
5 a municipal architect, and a municipal information officer.

6
7 (c) The Sangguniang Bayan may:

8
9 (1) Maintain existing offices not mentioned in subsections (a)
10 and (b) hereof;

11
12 (2) Create such other offices as may be necessary to carry
13 out the purposes of the municipal government; or

14
15 (3) Consolidate the functions of any office with those of
16 another in the interest of efficiency and economy.

17
18 (d) Unless otherwise provided herein, heads of departments and
19 offices shall be appointed by the municipal mayor with the
20 concurrence of the majority of all the Sangguniang Bayan
21 members, subject to civil service law, rules and regulations. The
22 Sangguniang Bayan shall act on the appointment within fifteen
23 (15) days from the date of its submission; otherwise, the same
24 shall be deemed confirmed.

25
26 (e) Elective and appointive municipal officials shall receive such
27 compensation, allowances and other emoluments as may be
28 determined by law or ordinance, subject to the budgetary
29 limitations on personal services as prescribed in Title Five, Book
30 Two of this Code: Provided, That no increase in compensation of
31 the mayor, vice-mayor, and Sangguniang Bayan members shall
32 take effect until after the expiration of the full term of all the
33 elective local officials approving such increase."
34

1 **SECTION 2.** Sections 454 of Republic Act No. 7160 is hereby amended to
2 read as follows:

3

4 **"SECTION. 454. Officials of the City Government. -**

5

6 (a) There shall be in each city a mayor, vice mayor,
7 Sangguniang Panlungsod members, a secretary to the
8 Sangguniang Panlungsod, a city treasurer, a city assessor,
9 a city accountant, a city budget officer, a city planning and
10 development coordinator, a city engineer, a city health
11 officer, a city civil registrar, a city administrator, a city legal
12 officer, a city veterinarian, a city social welfare and
13 development officer, and a city general services officer.

14

15 **IN CITIES WHERE TOURISM IS A SIGNIFICANT**
16 **INDUSTRY, A TOURISM OFFICER SHALL ALSO BE**
17 **APPOINTED, IN ACCORDANCE WITH THE**
18 **QUALIFICATIONS SET FORTH IN REPUBLIC ACT NO.**
19 **9593, OTHERWISE KNOWN AS "THE TOURISM ACT OF**
20 **2009."**

21

22 (b) In addition thereto, the city mayor may appoint a city
23 architect, a city information officer, a city agriculturist, a city
24 population officer, a city environment and natural resources
25 officer, and a city cooperatives officer.

26

27 The appointment of a city population officer shall be optional
28 in the city: Provided, however, that cities which have
29 existing population offices shall continue to maintain such
30 offices for a period of five (5) years from the date of the
31 effectivity of this Code, after which said offices shall become
32 optional.

33

34 (c) The Sangguniang Panlungsod may:

1 (1) Maintain existing offices not mentioned in subsections
2 (a) and (b) hereof;

3
4 (2) Create such other offices as may be necessary to
5 carry out the purposes of the city government; or

6
7 (3) Consolidate the functions of any office with those of
8 another in the interest of efficiency and economy.

9
10 (d) Unless otherwise provided herein, heads of departments
11 and offices shall be appointed by the city mayor with the
12 concurrence of the majority of all the Sangguniang
13 Panlungsod members, subject to civil service law, rules and
14 regulations. The Sangguniang Panlungsod shall act on the
15 appointment within fifteen (15) days from the date of its
16 submission, otherwise the same shall be deemed
17 confirmed.

18
19 (e) Elective and appointive city officials shall receive such
20 compensation, allowances, and other emoluments as may
21 be determined by law or ordinance, subject to the budgetary
22 limitations on personal services prescribed under Title Five,
23 Book II of this Code: Provided, That, no increase in
24 compensation of the mayor, vice-mayor and Sangguniang
25 Panlungsod members shall take effect until after the
26 expiration of the full term of the said local officials approving
27 such increase."

28
29 **SECTION 3.** Sections 463 of Republic Act No. 7160 is hereby amended to
30 read as follows:

31
32 **"SECTION. 463. Officials of the Provincial Government. –**

33
34 (a) There shall be in each province a governor, a vice governor,
35 members of the Sangguniang Panlalawigan, a secretary to the

1 Sangguniang Panlalawigan, a provincial treasurer, a provincial
2 assessor, a provincial accountant, a provincial engineer, a
3 provincial budget officer, a provincial planning and development
4 coordinator, a provincial legal officer, a provincial administrator, a
5 provincial health officer, a provincial social welfare and
6 development officer, a provincial general services officer, a
7 provincial agriculturist, and a provincial veterinarian.

8
9 **IN PROVINCES WHERE TOURISM IS A SIGNIFICANT**
10 **INDUSTRY, A TOURISM OFFICER SHALL ALSO BE**
11 **APPOINTED, IN ACCORDANCE WITH THE QUALIFICATIONS**
12 **SET FORTH IN REPUBLIC ACT NO. 9593, OTHERWISE**
13 **KNOWN AS "THE TOURISM ACT OF 2009."**

14
15 (b) In addition thereto, the governor may appoint a provincial
16 population officer, a provincial natural resources and environment
17 officer, a provincial cooperative officer, a provincial architect, and
18 a provincial information officer.

19
20 The appointment of a provincial population officer shall be
21 optional in the province: Provided, however, That provinces
22 which have existing population offices shall continue to
23 maintain such offices for a period of five (5) years from the date
24 of the effectivity of this Code, after which said offices shall
25 become optional.

26
27 (c) The Sangguniang Panlalawigan may:

28
29 (1) Maintain existing offices not mentioned in subsections (a)
30 and (b) hereof;

31
32 (2) Create such other offices as may be necessary to carry out
33 the purposes of the provincial government; or
34

1 (3) Consolidate the functions of any office with those of another
2 in the interest of efficiency and economy;
3

4 (d) Unless otherwise provided herein, heads of departments and
5 offices shall be appointed by the governor with the concurrence of
6 the majority of all the Sangguniang Panlalawigan members,
7 subject to civil service law, rules and regulations. The
8 Sangguniang Panlalawigan shall act on the appointment within
9 fifteen (15) days from the date of its submission; otherwise the
10 same shall be deemed confirmed;
11

12 (e) Elective and appointive provincial officials shall receive such
13 compensation, allowances, and other emoluments as may be
14 determined by law or ordinance, subject to the budgetary
15 limitations on personal services prescribed under Title Five, Book
16 II of this Code: Provided, That, no increase in compensation shall
17 take effect until after the expiration of the full term of all the elective
18 officials approving such increase."
19

20 **SECTION 4. Implementing Agency.** The Department of Interior and Local
21 Governance (DILG) in coordination with the Department of Tourism (DOT)
22 shall promulgate the rules and regulations necessary to implement the
23 provisions of this Act.
24

25 **SECTION 5. Repealing Clause.** All laws, decrees, executive orders,
26 proclamations, rules and regulations and other issuances or parts thereof,
27 inconsistent with the provisions of this Act are hereby repeated or modified
28 accordingly.
29

30 **SECTION 6. Separability Clause.** If any section or provision of this Act is
31 held unconstitutional or invalid, the other sections or provisions hereof shall
32 not be affected thereby.
33

34 **SECTION 7. Effectivity.** This Act shall take effect fifteen (15) days after its
35 complete publication in at least two (2) newspapers of general circulation.

1

2 Approved,