

REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TOURISM
MANILA

**RULES AND REGULATIONS TO GOVERN
THE ACCREDITATION OF TRAVEL AND TOUR SERVICES**

PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER NO.120 IN RELATION TO REPUBLIC ACT NO.7160, OTHERWISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991 ON THE DEVOLUTION OF THE LICENSING AND REGULATORY AUTHORITY OVER CERTAIN ESTABLISHMENTS, THE FOLLOWING RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF TOUR OPERATORS, TOURIST TRANSPORT OPERATORS, TOUR GUIDES AND PROFESSIONAL CONGRESS ORGANIZERS ARE HEREBY PROMULGATED .

**CHAPTER I
DEFINITION**

Section 1. Definition of Terms. For purposes of these Rules, the following shall mean:

- a. "Tour Operator" shall mean an entity which may either be a single proprietorship, partnership or corporation regularly engaged in the business of extending to individuals or groups, such services pertaining to arrangements and bookings for transportation and/or accommodation, handling and/or conduct of inbound tours whether or not for a fee, commission, or any form of compensation;
- b. "Inbound Tour" means a tour to or of the Philippines or any place within the Philippines;
- c. "Department" shall mean the Department of Tourism;
- d. "Accreditation" a certification issued by the Department that the holder is recognized by the Department as having complied with its minimum standards in the operation of the establishment concerned;
- e. "Tour Guide" shall mean an individual who guides tourists, both foreign and domestic, for a fee, commission, or any other form of lawful remuneration.
- f. "Tourist Land Transport Operator" - a person or entity which may either be a single proprietorship, partnership or corporation, regularly engaged in providing, for a fee or lawful consideration, tourist transport services as hereinafter defined, either on charter or regular run.
- g. "LTFRB" - Land Transportation Franchising and Regulatory Board.

- h. "LTO" -Land Transportation Office.
- i. "Tourist Water Transport" - Any watercraft catering to tourists.
- j. "Watercraft" -every description of conveyance, except seaplane, used or being capable of use as a means of transportation on water which shall include passenger ship, ferry, pleasure yacht and other similar conveyances.
- k. "Passenger ship" - Any vessel which is authorized to carry more than twelve (12) passengers as further defined in the Philippine Merchant Marine Rules and Regulations.
- l. "Ferry" - any vessel having provision only for deck passengers as defined in the Philippine Merchant Marine Rules and Regulations.
- m. "Pleasure Yacht" - any vessel which is used for pleasure only as defined in the Philippine Merchant Marine Rules and Regulations.
- n. "Long-haul Trip" -Travel of considerable distance in terms of period of time which shall be measured at a minimum of over four (4) hours from point of embarkation to final destination.
- o. "Short-haul Trip" - travel of a considerable distance in terms of period of time which shall be measured at a maximum of four (4) hours from point of embarkation to final destination.
- p. "Passenger accommodation Area" - a passenger seating area and/or cabin/sleeping area.
- q. "Tourist Air Transport" - any air conveyance catering to tourists.
- r. "Convention" -Any gathering for the purpose of exchanging or disseminating views, technical expertise, experiences, knowledge, skills, information, policies or any other related activity. It does not include corporate meetings or events where participation is limited to company personnel only. The term shall include any of the following:
 - 1. Conference -Usually general sessions and face-to-face groups with high participation to plan, get facts, solve organization and member problems.
 - 2. Congress -More commonly used European designation for convention and mainly international in scope.

3. Seminar -Usually one face-to-face group sharing experiences in a particular field under the guidance of an expert discussion leader. Attendance generally are 30 persons or less.
4. Lecture -A formal presentation by an expert sometimes followed by question-and-answer period.
5. Symposium -A panel discussion by experts in a given field before a large audience; some audience participation but appreciably less than a forum.
6. Forum -A panel discussion taking opposite sides of an issue by experts in a given field with liberal opportunity for audience participation.
7. Workshop - Usually a general session and face-to-face groups of participants training each other to gain new knowledge, skills or insights into problems; attendance generally no more than 30-35 participants.
8. Colloquium -A program in which the participants determine the matter to be discussed. The leaders would then construct the program around the most frequent problems; usually attended by 35 persons or less with equal emphasis on instruction and discussion.
9. "Professional Congress Organizer (PCO)" - Any person, natural or juridical, who manages conventions, either as an official of an organization, consultant, volunteer or as a retained professional.

CHAPTER II REQUIREMENTS FOR ACCREDITATION OF TOUR OPERATORS

Section 2. Who May Apply for Accreditation. The following may apply for accreditation as tour operator:

- a. A resident Filipino citizen;
- b. A partnership organized under the laws of the Philippines, at least 60% of its capital being owned by Filipino citizens; and
- c. Corporations organized under the laws of the Philippines, at least 60% of the subscribed common or voting shares of stocks of which is owned by Filipino citizens and the composition of its Board of Directors being at least 60% Filipinos.

Section 3. For purposes or accreditation the following are the supporting documents to be submitted with the application:

- a. In case of a single proprietorship, a business name certificate and all amendments thereto; in the case of partnerships or corporations, a certified true copy of the

articles of partnership/incorporation and its by-laws and amendments thereto, duly registered with the Securities and Exchange Commission;

- b. Complete list of its executive officers and employees, tour guides and travel representatives, if any, indicating therein their nationality, home address and experience, including names and establishments previously or currently affiliated with, position and length of service showing the following:
 1. In the case of the manager, proof that he has at least three (3) years managerial experience in tour operations or has earned a degree in Bachelor of Science in Tourism or has successfully completed a tour operator's course;
 2. Proof that at least two (2) of the permanent staff have at least two (2) years experience in tour operations;
- c. For alien officers and employees, valid visa from the Bureau of Immigration and the proper permit from the Department of Labor and Employment;
- d. Contract of lease or contract to lease the office space intended for the use of the agency, or in the absence thereof, a sworn statement by the lessor that said agency is a lessee of his building stating the area thereof;
- e. Mayor's permit/municipal license;
- f. Latest. Income Tax Return and Audited Financial Statements reflecting a minimum working capital of FIVE HUNDRED THOUSAND (P500,000.00) PESOS;
- g. An annual performance report on the sales production; and a tariff sheet detailing services, rates, validity, terms/conditions and responsibilities; and
- h. Such other documents that the Department may require from time to time.

Section 4. Additional Requirements for Tour Operator Using a Motor Vehicle. No tour operator shall use any motor vehicle while conducting tours or transporting tourists unless such motor vehicle is accredited with the Department and sporting a tourist plate.

Section 5. Minimum Office Requirements. The tour operator shall comply with the following office requirements:

- a. It shall be located in a commercial district and not in a residential district;
- b. It must be easily identifiable and shall be used exclusively for the tour operation business.

Section 6. Accreditation Fee. After compliance with all the requirements under these Rules, a certificate of accreditation shall be issued to the applicant upon payment of an accreditation fee of ONE THOUSAND ONE HUNDRED (P 1,100.00) PESOS per annum for main office and FIVE HUNDRED FIFTY (P550.00) PESOS for each branch.

Section 7. Validity of Accreditation. The certificate of accreditation shall be valid for a period of one (1) year from the date of issuance thereof.

Section 8. Access of Department Representatives to Agency's Records.

The representatives of tile Department shall have access to agency's records for verification of compliance with the requirements of the Department.

**CHAPTER III
REQUIREMENTS FOR ACCREDITATION OF TOUR GUIDES**

Section 9. Requirements for Issuance of Accreditation. An applicant for accreditation as tour guide shall submit the following:

- a. 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; provided, however, that this requirement may be waived by the Department where the applicant possesses special academic or professional qualifications relevant to tourism;
- b. Certificate of good health issued by any duly accredited government physician;
- c. Clearance from the National Bureau of Investigation;
In the case of alien applicants, valid visa from the Bureau of Immigration and the proper permit from the Dept. of Labor and Employment;
- d. Mayor's permit/municipal license;
- e. Latest Income Tax Return; and
- f. Such other documents that the Department may require from time to time.

Section 10. Issuance of Accreditation and Identification Card. Upon compliance with all the requirements of the preceding section, a certificate of accreditation and an Identification Card shall be issued upon payment of EIGHTY TWO PESOS & FIFTY CENTAVOS (P82.50) and TWENTY TWO (P22.00) PESOS, respectively, and shall be valid for a period of one (1) year from the date of issuance thereof.

**CHAPTER IV
REQUIREMENTS FOR ACCREDITATION OF
PROFESSIONAL CONGRESS ORGANIZER**

Section II. Who May Apply for Accreditation. The following may apply for accreditation as PCO:

- a. A resident Filipino citizen;
- b. Partnerships organized under the laws of the Philippines, at least 60% of the capital of which is owned by Filipino citizens; and
- c. Corporations organized under the laws of the Philippines, at least 60% of its subscribed common or voting shares of stocks being owned by Filipino citizens and the composition of its Board of Directors being at least 60% Filipinos.

Section 12. Requirements for Issuance of Accreditation. Any person applying for accreditation as PCO shall file his application under oath, together with the following supporting papers and/or documents;

- a. In case of a single proprietorship, a business name certificate and all amendments thereto; in the case of partnership or corporation, a certified true copy of the articles of partnership/incorporation and its by-laws and amendments thereto, duly registered with the Securities and Exchange Commission;
- b. Complete list of its executive officers and employees, indicating therein their nationality, home address and their positions;
- c. Contract of lease or contract to lease the office space intended for the use of the PCO.
- d. Mayor's permit/municipal license;
- e. Latest Income Tax Return and Audited Financial Statements reflecting a minimum working capital of One Hundred Thousand Pesos (P100,000.00); and
- f. Such other documents that the Department may require from time to time.

Section 13. Minimum Office Requirement. The PCO shall comply with the following office requirements:

- a. It shall be located in a business district; and
- b. It must be easily identifiable.

Section 14. Accreditation Fee. After compliance with all the requirements under these Rules, a certificate of accreditation shall be issued to the applicant upon payment of an accreditation fee of FIVE HUNDRED FIFTY (P550.00) PESOS per annum.

Section 15. Validity of Accreditation. The certificate of accreditation shall be valid for a period of one (1) year from the date of issuance thereof.

CHAPTER V STANDARD REQUIREMENTS FOR TOURIST LAND TRANSPORT VEHICLES

Section 16. Requirements. - For purposes of accreditation the following are the basic requirements for the operation and maintenance of a tourist land transport:

- a. 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;
- b. Roadworthiness. To be registrable, 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;
- c. Left-hand drive. Every tourist transport shall be provided with a left-hand drive;
- d. Ventilation. Every tourist transport shall be properly equipped with adequate air-conditioning units;
- e. Fire-fighting facilities. A tourist transport shall be provided or installed with at least one portable fire extinguisher for the protection of its passengers;
- f. 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;
- g. Public address system. For tourist buses or coasters, a public address system shall be installed;
- h. First-aid kit. Every tourist transport unit shall be provided with a first-aid kit and an adequate supply of emergency medicines;
- i. Seats. Every tourist transport shall have clean and comfortable seats;
- j. Storage Space. A tourist transport shall have enough leg room and sufficient storage space; and

- k. 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.

Section 17. P.N.P clearance. -In case of original registration and/or transfer of ownership of tourist transport, the necessary clearance from the appropriate unit of the Philippine National Police shall be secured prior to registration.

Section 18. Department Stickers. - After registration and issuance of accreditation by the Department, it shall be mandatory for all tourist transport operators to put the Department stickers on the front and back windshields of their vehicles for proper identification.

CHAPTER VI STANDARD REQUIREMENT FOR TOURIST WATER TRANSPORT VESSELS

Section 19. Minimum Requirements. -For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of a water transport.

- a. Restrooms -There shall be at least one restroom each with toilet and washing facilities for male and female located at the passenger accommodation area. In addition, there shall be a common toilet and bath at the cabin area for long-haul trip. Tissue paper, soap and hand/paper towel shall also be provided.
- b. Reception -A receptionist shall be available to usher in guests.
- c. Refreshment and Dining Area -There shall be a refreshment area which shall be well-stocked at all times. In case of long-haul trips, a dining area capable of seating, at least, one-fourth (1/4) of the total passengers at one serving shall be provided with appropriate and well-maintained furniture.
- d. Promenade Area -There shall be a promenade or airing space at the upper deck for the exclusive use of passengers.
- e. Baggage Area -There shall be a baggage area provided with racks or similar convenient and safe storage in the passenger accommodation areas.
- f. Service and Staff -Adequate number of well-trained, well-groomed, experienced, efficient and courteous staff shall be employed. They shall wear clean uniforms at all times. Front-line staff shall have a good speaking knowledge of English.
- g. Lighting -Adequate lighting arrangement and fixtures shall be installed in all levels of the vessel in accordance with the Philippine Merchant Marine Rules and Regulations.

- h. Life-saving equipment - Adequate life-saving device shall be provided in accordance with the Philippine Merchant Marine Rules and Regulations.
- i. Communication Equipment - Adequate communication equipment shall be provided in accordance with the Philippine Merchant Marine Rules and Regulations.

CHAPTER VII STANDARD REQUIREMENTS FOR TOURIST AIR TRANSPORT

Section 20. Minimum Requirements. - For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of an air transport.

- a. Life-saving device -Adequate life-saving devices shall be provided in accordance with the requirements prescribed by the Air Transportation Office.
- b. Communication Equipment -Adequate communication equipment shall be provided in accordance with the requirements of the Air Transportation Office.

CHAPTER VIII APPLICATION AND ISSUANCE OF ACCREDITATION

Section 21. Application for Accreditation. - Any person, partnership or corporation desiring to operate and/or engage in the business as tourist transport operator shall accomplish in duplicate and file with the Department, the application for accreditation prescribed for such purpose.

Section 22. Documents Required to Support Application for Accreditation to Operate as Tourist Transport Operator. - The application shall be accompanied by the following documents:

- a. Mayor's Permit and/or Municipal License
- b. Business name certificate and all amendments thereto, if any, in the case of single proprietorship. In the case of a corporation or partnership, a certified true copy of the Articles of Incorporation, its By-Laws or Articles of Partnership and amendments thereto, if any, duly registered with the Securities and Exchange Commission;
- c. Proof of ownership or contract of lease over an area adequate to serve as maintenance depot and garage for all its units (not applicable to water transport);
- d. A list of names of all officials and employees, and their respective designations, nationalities, home addresses, certified correct under oath by the General Manager/President; and

- e. Such other papers or documents as may be required from time to time by the Department.

Section 23. Documents Required to Support Application for Registration of Vehicle, Vessel or Aircraft as Tourist Transport. The application shall be supported by the following documents:

a. Land Transport

1. A copy of the LTFRB certificate of franchise or authorization for tourist car/bus service;
2. A copy of the transportation rates as approved by the LTFRB
3. Pictures of the vehicle showing the side, back and front views thereof with the company's name and logo imprinted at its rear and sides, respectively; and
4. Such other papers or documents as may be required from time to time by the Department.

b. Water Transport

1. A copy of the Certificate of Public Convenience and Necessity issued by Maritime Industry Authority;
2. A copy of the transportation rates as approved by the Maritime Industry Authority;
3. Pictures of the vessel showing the side, back and front view thereof with the company's name and/or logo imprinted at its sides;
4. A copy of routes to be served and schedules.
5. Such other papers or documents as may be required from time to time by the Department.

c. Air Transport

1. A copy of the Certificate of Public Convenience and Necessity issued by the Civil Aeronautics Board;
2. A copy of the transportation rates as approved by the Civil Aeronautics Board;

3. Pictures of the plane showing the side, back and front views thereof with the company's name and/or logo imprinted at its sides;
4. List of operations and maintenance officials and personnel with their ATO licenses;
5. Copy of the routes to be served and flight schedules; and
6. Such other papers or documents as may be required from time to time by the Department.

Section 24. Accreditation Fee. - Upon approval of the application, an annual accreditation fee shall be collected from the applicant in the following schedule of fees per unit:

a. Bus	P 275.00
b. Coaster	P 165.00
c. Mini-Van	P 110.00
d. Car	P 82.50
e. Vessel	P 1,000.00
f. Aircraft	P 1,000.00

Section 25. Validity of Accreditation. -The accreditation duly issued to any tourist transport operator shall be valid for a period of one (1) year from its date of issue unless sooner revoked for cause by the Department.

CHAPTER IX SUPERVISION OF OPERATION OF TRAVEL AND TOUR SERVICES

Section 26. Request for the Department identification cards. The Department Identification Cards shall be issued to employees of tourist transport operators upon request subject to payment of a nominal fee. Provided, that said employees are included in the list of personnel of the operator concerned.

Section 27. Surrender of ID Card. Officers and the employees who have ceased to be such shall immediately surrender their ID cards to the Department.

Section 28. Service. Operators shall provide service that is a safe, regular, comfortable and convenient as possible.

Section 29. Display of Certificate of Accreditation. -The certificate of accreditation shall be displayed in a conspicuous place of the establishment.

Section 30. Non-transferability of Certificate of Accreditation. -The rights over the accreditation shall be non-transferable.

Section 31. Periodic Inspection. - When necessary or when public good dictates, the Department may send an inspection team to the establishment for the purpose of finding out whether they are being kept and/or managed in a manner conformable to the standards set by the Department. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to the right to privacy of parties concerned.

Section 32. Checklist to be Accomplished During Ocular Inspection of the Establishment. -The DOT's inspection team shall provide itself with a set of checklist of the requirements for the establishment. All deficiencies found as well as the requirements complied with shall be noted in the checklist.

Section 33. Defects and Deficiencies Found During the Inspection. - Where certain defects and deficiencies have been found in the courses or the inspection, the Department shall give direction to the manager or operator to rectify the defects and deficiencies within a reasonable period of time.

Section 34. Penalty for Failure to Remedy the Defects, Etc. – If the management fails to remedy the defects or deficiencies, the Department may revoke the certificate of accreditation of the establishment.

CHAPTER X GROUNDS FOR CANCELLATION OF ACCREDITATION

Section 35. Grounds for cancellation of accreditation. Any or the following acts or omissions shall be sufficient ground for the cancellation of accreditation of the tourist establishment:

- a. Making any false declaration or statement or making use of any such declaration or statement or any document containing the same or committing fraud or any act of misrepresentation for the purpose of obtaining the grant of accreditation.
- b. Failure to maintain the standards and requirements for accreditation as prescribed in these Rules;
- c. Violation of or non-compliance with any of the provisions of these Rules, promulgated orders, decisions and circulars issued by the Department and other concerned government agencies; and
- d. Any other act or omission that works against the interest of the tourism industry.

**CHAPTER XI
MISCELLANEOUS PROVISIONS**

Section 36. Confidential Character of Certain Data. -Information and documents received or filed with the Department in pursuance of the requirements of these Rules shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned.

Section 37. Separability Clause. -The provisions of these Rules are hereby declared separable, and in the event that anyone or more of such provisions are declared invalid, the validity of all other provisions shall not be affected, thereby.

Section 38. Repealing Clause. - All existing rules and regulations or circulars issued by the defunct Board of Travel and Tourist Industry or previously issued by the Department of Tourism which are inconsistent with the provisions of these Rules, are hereby repealed and/or modified accordingly.

Section 39. Effectivity. -These Rules and Regulations shall take effect immediately.

APPROVED AND PROMULGATED THIS 20TH DAY OF APRIL 1992. MANILA,
PHILIPPINES.

(SGD) NARZALINA Z. LIM
Secretary

Attested:

(SGD) EVELYN B. PANTIG
Undersecretary
Tourism Services and Regional Offices

**FURTHER AMENDING THE RULES & REGULATIONS GOVERNING
THE ACCREDITATION OF TRAVEL & TOUR SERVICES**

PURSUANT TO THE AUTHORITY VESTED IN THE DEPARTMENT OF TOURISM (DOT) BY EXECUTIVE ORDER NO.120 "TO PROMULGATE RULES AND REGULATIONS GOVERNING THE OPERATIONS AND ACTIVITIES OF ALL PERSONS, FIRMS, ENTITIES, AND ESTABLISHMENTS THAT CATER TO TOURISTS, TO PROVIDE STANDARDS FOR ACCREDITATION OF HOTELS, RESORTS, AND TOURIST-ORIENTED FACILITIES FOR CLASSIFICATION PURPOSES, AND TO PRESCRIBE RULES AND REGULATIONS GOVERNING THE ISSUANCE OF LICENSES TO TRAVEL AGENCIES," IN RELATION TO REPUBLIC ACT NO. 7160, OTHER WISE KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991 ON THE DEVOLUTION OF DOT'S REGULATORY FUNCTIONS OVER TOURIST ESTABLISHMENTS, THE FOLLOWING AMENDED PROVISION OF THE RULES AND REGULATIONS GOVERNING THE ACCREDITATION OF TRAVEL AND TOUR SERVICES IS HEREBY PROMULGATED.

SECTION 1. Section 35, Chapter X of the Rules and Regulations Governing the Accreditation of Travel and Tour Services is hereby amended to read, as follows:

"SEC. 35 Grounds for Cancellation of Accreditation -Any of the following acts or omissions shall be sufficient ground for the cancellation of accreditation of the tourist establishment:

- a. Making any false declaration or statement or making use of any such declaration or statement or any document containing the same or committing fraud or any act of misrepresentation for the purpose of obtaining the grant of accreditation;
- b. Failure to maintain the standards and requirements for accreditation as prescribed under these Rules;
- c. Promoting, facilitating, or conducting activities constituting prostitution particularly those involving children, as part of a tour for both foreign and domestic tourists;
- d. Violation of or non-compliance with any of the provisions of these Rules, promulgated orders, decisions and circulars issued by the Department and other concerned government agencies; and
- e. Any other act or omission that works against the interest of the tourism industry."

SECTION 2. Effectivity. This amended provision shall take effect thirty (30) days after its publication in the Official Gazette or in a national newspaper of general circulation.

APPROVED AND PROMULGATED this 26th day of September 1995.

(SGD) EDUARDO P. PILAPIL
Secretary

ATTESTED:

(SGD) EVELYN B. PANTIG
Undersecretary
Tourism Services & Regional Offices