

Republic of the Philippines
RIZAL PROVINCIAL GOVERNMENT
Antipolo City

27th SANGGUNIANG PANLALAWIGAN

PROPOSED ORDINANCE NO. 21, s. 2014

Authored by: Hon. BM ANTHONY JESUS S. ALARCON
Sponsored by: Committee on Tourism

ORDINANCE NO. 015, s. 2014

**AN ORDINANCE
CREATING THE RIZAL TOURISM CODE, REORGANIZING THE RIZAL
TOURISM COUNCIL, THE PROVINCIAL TOURISM OFFICE AND FOR
OTHER PURPOSES**

Be it Enacted by the Sangguniang Panlalawigan of Rizal in session
assembled that –

**ARTICLE I
THE POLICY AND OPERATING PRINCIPLES OF THE CODE**

SECTION 1. Title – This Ordinance shall be known as the "Rizal Tourism Code of 2014".

SECTION 2. Declaration of Policy – It is hereby declared the policy of the Province to pursue the sustainable development of Rizal as a prime and global tourist destination and for this purpose:

- a. Conserve, restore and preserve the natural environment including its biodiversity, cultural heritage, historical sites and natural endowments of Rizal;
 - b. Respect the cultural sensibilities and rights of host communities;
 - c. Educate all stakeholders, community and tourists on the principles of responsible and sustainable tourism.
- Eradicate poverty and improve the economic and standard of living of the Rizaleños thru the benefits and effects of tourism;
- Encourage active participation of communities in the development of sustainable tourism plans;
- Ensure that all tourism activities, plans shall reflect positive values;

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- g. Identify, develop and promote potential and existing tourism areas and enterprise zones;
- h. Institutionalize and advocate a responsible culture of tourism;
- i. Promote and develop cooperation among stakeholders to attain goals and objectives for the common good of the people;
- j. Encourage, promote and link community-based tourism support system and industries to the tourism mainstream;
- k. Strengthen and support the capability of local government units in mandated tourism functions;
- l. Provide incentives and recognition to private initiatives and enterprises in the establishment and development of tourism-related programs, projects, activities, events, and investments; and
- m. Develop the tourism industry into highly professionalized and trained human resource components through the concerted efforts and cooperation of both public and private sectors.

SECTION 3. Operating Principles – The formulation and implementation of policies, rules, regulations, instructions, and directives on tourism shall be guided by, and circumscribed by the Vision and Mission of the Province of Rizal, which read:

VISION – “A peaceful, ecologically balanced province with a progressive, creative and sustained multi-sector economy; the regional center for learning, culture and the arts; endowed with equally accessible and advanced services and facilities for its God-loving, highly capable and empowered citizenry.”

MISSION – Rizal Province is committed to the promotion and modernization of socio-economic and environmental services by providing programs and activities for sustainable livelihood, multi-sector linkages and access to financing, proactive health care delivery, industry relevant education and value formation, dependable infrastructure support and human resource development, ecological management, and the preservation of cultural and historical sites achievable through effective, responsible and transparent governance.

**ARTICLE II
COVERAGE, SCOPE, DEFINITION OF TERMS**

SECTION 4. Coverage – This Code shall govern all tourism-related matters within the territorial jurisdiction of Rizal – its local units and political subdivisions.

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SECTION 5. Scope – The provisions of this Code shall apply to all local government units, agencies and instrumentalities, non-government organizations, businesses and establishments for tourism, persons, whether natural or juridical, directly or indirectly involved in the tourism industry. The Philippine Tourism Act of 2009 or RA 9593, Republic Act No. 7160, DOT Executive Order No. 111, s. 1999 as well as other relevant and applicable laws, rules and regulations issued by the national government and the Department of Tourism shall guide this code.

SECTION 6. Definition of Terms – In addition to the terms and phrases duly defined in RA 9593, and its IRR, the Department of Tourism in its issuances of rules and regulations governing the accreditation of specific tourism establishments and facilities, which definitions are hereby adopted, the following are given their meaning in this Ordinance:

a. **Accreditation** – a certification issued by the provincial government that the holder is recognized as having complied with the minimum standards required by the YES Council, the RIZAL SIKAT Council in line with the "YES Seal of Excellence and the Department of Tourism (DOT) in the operation of establishments and facilities concerned.

b. **Capital Resources** – refers to availability of capital/financing, transportation, roads, airports, railroads, harbors and marinas, trails and walkways, water, power, waste treatment and communications.

c. **Cultural Resources** – this includes historic buildings, sites, monuments, shrines, cuisine, ethnic cultures, industry government, religion, anthropological resources, and local celebrities.

d. **Human Resource Infrastructure** – these include the warm bodies in the tourism industry – the people operating the various establishments and facilities, the local population whose lives are intertwined with the development of tourism sites; the tourists whose quality of lives are enriched and enhanced by the beauty, the history and the culture of their destinations.

e. **Human Resources** – Include hospitality skills, management skills, seasonal labor force, performing artists (music, drama, art), storytellers, craftsmen and artisans, other labor skills from chefs to lawyers to researchers, and local populations.

f. **Positive Values** – convictions or beliefs which are considered contributory to the welfare of the group.

g. **Law and Regulatory Infrastructure** – the component refers to the rules of order necessary to manage and control the tourism industry to protect the industry and the people who are the very reason for the industry – the tourists, the service and amenity providers, and the local population.

h. **Natural Resources** – these refer to climate-seasons, water resources (lakes, streams, waterfalls), flora (forests, flowers, shrubs, wild edibles), fauna (fish & wildlife), geological resources (topography, soils sand dunes, beaches, caves, rocks and minerals, fossils) and scenery.

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i. **Physical Infrastructures** – shall include, but not limited to, roads, bridges, administrative buildings, toilet and comfort room facilities, parking areas, rest areas, forest tracks, walkways, viewing platforms, cottages, wharves, boat landing facilities, solid and liquid waste facilities, security and service facilities, and communication centers.

j. **Potential Tourist Properties** – these refer to sites and attractions not yet developed including but not limited to, lakes, waterfalls, volcanic hot springs, caves and rainforests.

k. **Sustainable Development** – refers to a mode of human development in which resource use aims to meet human needs while ensuring the sustainability of natural systems and the environment, so that these needs can be met not only in the present, but also for generations to come.

l. **Sustainable Tourism Development** – means tourism development that leads to management of all resources in such way that economic, social, and aesthetic needs can be fulfilled, while maintaining cultural integrity, ecological, biological diversity and life support systems.

m. **Responsible Culture of Tourism** – a character, concept or activity that creates better places for people to live in, and better places to visit.

n. **Tourism** – a major provincial activity in which private sector investment, effort and initiative are encouraged, fostered and supported, and through which socioeconomic development may be accelerated and the appreciation of the province's nature, history and culture appreciated with pride and commitment.

o. **Green Tourism** – the kind of tourism which takes into account the needs of the environment, local residents, businesses and visitors, now and in the future. Minimizing energy waste and water resources usage and celebrating positive aspects of culture and ecology. It also means working constructively with the community and the supply chain through positive and ethical choices.

p. **Tourism Industry** – refers to industries or business enterprises providing goods and services to tourists and all types of travelers while they stay, travel, visit and enjoy the facilities and destinations.

q. **Tourism Infrastructures** – have three major components, namely: physical, human resource and regulatory.

r. **Tourism Resources** – refer to natural, cultural, human, or capital resources, either used or can be utilized to attract or serve tourist.

**ARTICLE III
THE TOURISM INFRASTRUCTURES**

SECTION 7. Physical Infrastructures – Local governments and private stakeholders shall promote and encourage the construction of tourism-related establishments and facilities either through public or private funding, or both, in their areas of jurisdiction.

Towards this end, local governments shall:

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- a. Enhance land, air and sea travel to tourist destinations through construction and expansion of adequate road networks and terminals, international and domestic airports, as well as seaports, for passengers and cargo;
- b. Enhance the provision of basic utilities such as water, energy and power as well as communication facilities through expansion or upgrading based on long-term studies and carrying capacity of a tourist destination;
- c. Implement an integrated solid waste and sewage management system in tourist destination and tourism investment zone, that is adequately functioning and in compliance with existing laws and ordinance on environment.
- d. Sustain within the bounds of law the implementation and enhancement of tourism-related infrastructures such as accommodation facilities including shopping centers, healthcare centers, emergency and safety facilities;
- e. Improve transport facilities through strict implementation and monitoring of environmental laws, rules and regulations;
- f. Sustain the potable water sources and systems in protection, rehabilitation and management of watershed areas province wide;
- g. Engage in the development of watersheds and other potential alternative resources for power generation;
- h. Pursue a unified effort and institutionalize the proper solid waste management practices;
- i. Create a web portal for the province linking all the municipalities;
- j. Identify and facilitate assessment as to the potential tourist site for tourism investment zone;
- k. Encourage active community-based tourism endeavors/undertakings;
- l. Ensure compliance to the prescribed and appropriate standard guidelines for existing and new tourism- related establishments;
- m. Encourage the establishment of one-stop-shop Pasalubong Center and one-town-one-product to be participated in by all municipalities/city, showcasing their best products;
- n. Diversify wholesome recreational and entertainment activities; and
- o. Encourage the use of thematic design and signages that shall reflect Rizal cultural heritage;
- p. Establishment of facilities for Persons with Disabilities and the implementation of Gender and Development (GAD).

SECTION 8. Human Resources Infrastructures – acknowledging tourism as a major factor in income and employment generation of the province of Rizal, every local government unit is therefore strongly encouraged to create a municipal tourism office

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with qualified manpower complement and sufficient budgetary allocation for its operations. Tourism programs shall be geared towards the fulfillment of the needs of the key players and stakeholders of the tourism industry. Towards this end, both local government and private investors and tourism shall join hands to;

- a. Provide financial and technical support for the education and professionalization of services and skills of tourism industry workers;
- b. Organize and train a team of provincial and local trainers to capacitate and improve delivery of services of tourism officers, transport operators, tour guides, drivers, boatmen, porter, and the like;
- c. The Rizal Tourism Office in coordination with the Rizal Sining, Kultura at Turismo (SIKAT) Council and the Department of Tourism shall implement a certification and accreditation system to regulate the quality of service and skills provided by front liners and other tourism industry workers;
- d. Coordinate with concerned government agencies in monitoring and evaluate certified and accredited tourism industry workers annually which will be the basis for renewal or revocation of certification and accreditation;
- e. Incorporate the culture of tourism and values formation in all levels of education-primary secondary and tertiary, values of formation the culture of tourism, including but not limited to demography, geography, history of Rizal;
- f. Ensure that tourism front liners are well-trained and qualified, provided with incentives and rewards, organized and federated based on their work affiliations; and,
- g. Implement guidelines, rules, regulations through appropriate local government agencies in accordance with DOT standards for the construction of appropriate and adequate accommodation facilities including shopping centers, health care centers, emergency and safety facilities, recreation and entertainment and restaurants conforming to unified design;
- h. Ensure the presence of tourist-oriented police for the safety and protection of tourists.

SECTION 9. - Legal and Regulatory Infrastructure

a. The tourism industry is governed by national and local laws as well as rules and regulations issued by the administrative bodies pursuant to and directives on tourism pursuant to the provisions of Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

No foreign tour guides/ escorts shall be allowed under this Code except when there are no available local tour guides/escorts speaking the language of a particular foreign tourist market, in which case travel/tour organizers shall be required to hire accredited local tour guides as understudy. Two years after the effectivity of this Code, all tour guides /escorts shall be Rizaleños.

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**ARTICLE IV
RIZAL SIKAT COUNCIL**

SECTION 10. There is hereby created the Rizal Tourism Council called the **Rizal Sining, Kultura at Turismo Council, otherwise known as the "Rizal SIKAT Council"**, which shall be the highest coordinating and policy formulating body on tourism in the province.

SECTION 11. (a) Composition – The Rizal SIKAT Council shall be composed of the following:

1. Chairperson – The Provincial Governor
2. Vice Chairperson – must come from the private sector
3. Members -
 - Chairperson, SP Committee on Tourism
 - Chairperson, SP Committee on Public Works
 - Head, Provincial Planning and Development Office
 - Chief, Provincial Information Office
 - Municipal/City Mayors thru their respective Tourism Officer or Sanggunian Chairman, Committee on Tourism
 - Head, Provincial Tourism Office

Official representatives from the following stakeholders:

- Association of Rizal Tourism-related Services, Inc. (ARTS, Inc.)
- Travel and Tours Agencies Association
- Local Chamber of Commerce and Industry
- Department of Trade and Industry (DTI)-Rizal
- Rizal Lakeshore Artists Association
- Rizal Exporters and Manufacturers Association Inc. (REMAI)
- Higher Education Association of Rizal (HEAR)
- Duly Accredited Civil Society Organizations(CSO)
- Representative from Restaurants and Bars Association
- Representative from Transportation Sector
- President, Tour Guides Association
- President, Tour Operators Association
- President Tri-Media Association
- President, Convention / Event Organizers Association
- Samahan ng mga Rizaleño sa Sektor ng Agrikultura at Pagkain, Inc. (SARAP)

Representatives from the different National/Provincial Agencies as may be called upon by the Council as the need arises:

- Department of Tourism (DOT);
- Department of Public Works and Highways (DPWH);
- Department of Environment and Natural Resources (DENR);
- Department of Education (DepEd);
- Commission on Higher Education (CHED);
- Department of Transportation and Communications (DOTC);
- Philippine National Police (PNP);
- Philippine Technical Education and Skills Development Authority (TEFDA);

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- National Commission on Indigenous People (NCIP);
- National Commission for Culture and the Arts (NCCA);

(b) The Council shall exercise the following functions:

- (1) Formulation of a Provincial Tourism Management Plan incorporating the tourism-related PPAs of all municipalities/city and the PPAs of the province including the eco-tourism sites in the protected areas (NIPAS and Non-NIPAS); Formulate long-term, medium-term, and annual tourism development plan, programs, projects, activities and policies, eco-tourism sites in the protected areas both NIPAS and Non-NIPAS;
- (2) Formulate the medium-term and annual public tourism investment programs;
- (3) Appraise and prioritize tourism based development programs, projects and activities;
- (4) Formulate local tourism incentives, policies and programs to promote the inflow and direction of private tourism investment capital;
- (5) Coordinate, monitor and evaluate the implementation of tourism development programs, projects and activities; and
- (6) Perform such other functions as may be provided by ordinance or competent authority.

(c) The Rizal SIKAT Council shall meet regularly on a monthly basis or as often as may be necessary, on such a day, time and place as it may fix.

(d) The Council shall perform their duties as such without compensation or remuneration.

Section 12. EXECUTIVE COMMITTEE. –

(a) There shall be an Executive Committee to represent the council and act in its behalf when it is not in session.

The composition of the ExeCom shall be as follows:

1. Chairman or in his absence the Vice-Chairman;
2. Chairman, Committee on Resource Generation
3. Chairman, Committee on Infrastructure
4. Chairman, Committee on Marketing and Promotions
5. Chief, Rizal Tourism Office;

(b) The Executive Committee shall exercise the following powers and functions:

- (1) Ensure that the decision of the council are faithfully carried out and implemented;
- (2) Act on matters requiring immediate attention or action by the council;
- (3) Formulate policies, plans, projects, programs and activities based on the general principles laid by the council; and
- (4) Act on matters that may be authorized by the council.

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Section 13. FUNCTIONAL COMMITTEES. – The following functional committees are hereby established to assist the council in the performance of their functions.

- (a) Committee on Resource Generation, its Functions
 - Identify strategies, spearhead activities, formulate plans and programs that will generate resources for tourism promotion and development
- (b) Committee on Infrastructure, its Functions
 - Identify various infrastructure needs for tourism promotion and development
- (c) Committee on Marketing and Promotions, its Functions
 - Identify products and their prioritization, embark on comprehensive marketing program, produce information materials, and implement information campaigns

Section 14. SECRETARIAT. - The Rizal Tourism Office shall be in-charge of the documentation of proceedings, preparation of reports and such other assistance as may be required in the discharge of its functions.

The council may avail of the services of any non-governmental organization, educational or research institution for this purpose.

Section 15. INTEGRATION TO THE LOCAL DEVELOPMENT PLAN. - The policies, programs, projects and activities proposed by the council shall be submitted to the Provincial Development Council for its integration in the provincial development plan.

**ARTICLE V
INTER-GOVERNMENT RELATIONSHIP**

SECTION 16. THE RIZAL SIKAT COUNCIL. - The Rizal Tourism Council will be an instrument for inter-government coordination, communication and cooperation on tourism-related issues. It shall promote harmonious relationship between LGUs, national government instrumentalities and private sector.

SECTION 17. In case of conflict among local government instrumentalities, the purpose, objectives and intent of the Rizal Tourism Code shall prevail.

SECTION 18. Local Government Units should regularly appropriate funds for programs and projects of the Local Tourism Councils subject to the availability of such funds.

SECTION 19. Local Government Units should closely coordinate with the PNP and other law enforcement organizations for the special training of personnel assigned to tourism destinations and zones.

SECTION 20. The Rizal Tourism Council shall seek the assistance of appropriate government agencies in the implementation of its policies, projects and activities to attain its objectives.

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**ARTICLE VI
RIZAL TOURISM OFFICE**

SECTION 21. RIZAL TOURISM OFFICE. - There shall be created a Rizal Tourism Office under the Office of the Governor with the status of an Office. The Rizal Tourism Office will primarily be the implementing arm for the programs, policies and projects relating to tourism industry in the province. It shall pursue the development of Rizal tourism industry in adherence to the Rizal Tourism Code. The Rizal Tourism Office shall implement programs and projects relating to tourism and culture including the marketing and promotions of the tourism industry in the province.

SECTION 22. PROFESSIONAL STAFF. - The Rizal Tourism Office shall be composed of professional staff headed by the Provincial Tourism Officer and such other personal plantilla positions to be determined by the Governor and to be authorized by the Sangguniang Panlalawigan.

SECTION 23. DUTIES AND FUNCTIONS. - As the primary operating agency of the Provincial Government, the Rizal Tourism Office shall be responsible in the efficient and effective Implementation of the policies, plans, and programs as recommended by the Rizal SIKAT Council. Towards this end, the Provincial Tourism Office shall:

- a. Initiate and organize tourism, and cultural activities;
- b. Formulate, monitor, and coordinate integrated plans for tourism and culture and arts;
- c. Assist, monitor and conduct accreditation of tourism-oriented and related facilities and service providers;
- d. Conduct capability building trainings for tourism front liners.
- e. Conduct research, establish and maintain tourism information management system and web portal for the province and the world;
- f. Establish linkage and networking with national government agencies, non-government organizations (NGOs) and people's organizations (POs) in planning and implementing tourism activities;
- g. Conduct inventory of existing, emerging and potential tourism attractions.
- h. Promote and market Rizal as premier tourist destination, regionally and globally, through exhibits, selling missions and production of marketing propaganda;
- i. Operate and maintain provincial government-owned tourism facilities;
- j. Represent the province in tourism-related activities;
- k. Advocate responsible culture of tourism;
- l. Produce promotional and marketing strategies;
- m. Establish linkages worldwide;
- n. Perform other functions related to tourism development.

SECTION 24. Three Major functions of the Rizal Tourism Office:

a. Standards and Services:

1. To regulate the standards of all the Tourism Establishments and the Tourism Related businesses in the province
2. To monitor the activities of above mentioned establishments and other tourism services so as to avoid the proliferation of violators;
3. To upgrade the standard of tourism services by conducting training, seminars, conventions and conferences to all the industry stakeholders;

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4. To provide assistance to clients who are applying for licensing and accreditations;
5. To update all concerns with the latest advisory;
6. To adhere to the international ethical standards.

b. Promotion and Marketing:

1. To conceptualize and produce collaterals like brochures, flyers, maps, posters and billboards for promotion purposes;
2. To facilitate tourism activities and events done in the province;
3. To promote Rizal as a destination by active participation to regional, national and international tourism events;
4. To attend to the province's guests by according reception/courtesies and assist in reception during dinner/lunch or any other special and official functions of the provincial government;
5. To provide tour escorts/guides, and prepare itinerary to provincial government's guests and;
6. To accord assistance in all the activities and events conducted by the provincial government.

c. Tourism Product Planning and Development:

1. To make feasibility study and research on the potential attractions in the province;
2. Make recommendations for the development of tourism spots or destinations to the provincial Governor;
3. Supervise all the activities of the Community Based Sustainable Tourism Projects of the Province including those whom the Provincial Government is in partnership with;
4. Collate data like monthly tourist arrival, number of occupancy in accommodation establishments and others, then submit regular update or report to the Provincial Governor
5. Submit recommendation for enhancement of existing products or projects to the Provincial Governor and to the Department of Tourism;
6. Assist /facilitate the projects of other agencies like the Department of Tourism (DOT), JICA, Tourism Infrastructure and Enterprise Zone Authority (TIEZA) that are being developed in the province for tourism purposes.

**ARTICLE VII
TOURISM RESOURCES**

SECTION 25. THE TOURISM RESOURCES. - Tourism Resources are any natural, cultural, human or capital resources that are being used or can be utilized to attract or serve tourists.

SECTION 26. INVENTORY AND CLASSIFICATION OF RESOURCES. - The Rizal Tourism Office, in coordination with the Rizal Tourism Council, shall periodically make an inventory to identify and classify the resources available that provide opportunities for tourism development.

SECTION 27. ASSESSMENT OF RESOURCES. - The Rizal Tourism Office shall periodically conduct an objective and realistic assessment of the quality and quantity of resources that can be used for tourism purposes.

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SECTOR 28. CLASSIFICATION OF TOURISM DESTINATION. - The Rizal Tourism Office, in coordination with the Rizal SIKAT Council and the respective LGU's, shall on an annual basis, classify tourism sites as destinations in accordance with DOT standards as existing, emerging and potential destinations.

SECTION 29. PRIORITIZED TOURISM DESTINATION. - Tourism destinations that are given higher classification category shall be included among the priority for promotion and marketing. The classification will guide tour operators and tourist where to go and what to do.

SECTION 30. INVESTMENT AND DEVELOPMENT. - The Rizal Tourism Office, in coordination with the Rizal Tourism Council, shall encourage LGU's to develop their respective tourist destinations.

SECTION 31. PROTECTION AND PRESERVATION. - The Rizal Tourism Office and the Rizal Tourist Council, in coordination with LGU's shall ensure the integrity of all tourism resources for its protection and preservation.

ARTICLE VIII ACCREDITATION

SECTION 32. There shall be created a provincial accreditation system which shall be known as the "Ynares Eco System (YES) Seal of Excellence for Tourism-related Establishments".

SECTION 33. ACCREDITATION BASIS. - In addition to Executive Order No. 11, S. 2013 issued by the Office of the Governor, all tourism establishments/activities in Rizal province shall be classified, accredited and registered in accordance with but not limited to the following Rules and Regulations:

- a. **Memorandum Circular No. 2012-02** promulgated by the Department of Tourism governing the mandatory accreditation of tourism enterprises
- b. **National and local legislations:**
 - i. **Mandatory Segregation of Solid Wastes** as stipulated in Section 21, Article 2 of Republic Act 9003 or the Solid Waste Management Act of 2000;
 - ii. **Participation in the National Greening Program**, such as but not limited to tree planting, donating of seedlings and planting materials among others, as stipulated in Section 3.1 of Executive Order No. 26 series of 2011 issued by the Office of the President of the Philippines;
 - iii. **Compliance to Presidential Decree No. 1586** - Environmental Compliance Certificate (ECC) or Certificate of Non-Coverage (CNC) from Environmental Management Bureau (EMB);
 - iv. **Compliance to Provincial Environment Code or Provincial Ordinance No. 08-008** enacted on 21 July 2008;
 - v. **Compliance to Presidential Decree No. 856 or the Code on Sanitation of the Philippines";**
 - vi. **LLDA Clearance and Discharge Permits** pursuant to Republic Act 4850 or and its amendments;

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- vii. Compliance to Republic Act No. 8749, otherwise known as the "Philippine Clean Air Act 1999"; Republic Act No. 9729, otherwise known as the "Climate Change Act of 2009"; and Republic Act No. 10121, otherwise known as the "Philippine Disaster Risk Reduction and Management Act of 2010"

SECTION 34. CATEGORIES. – The YES Seal of Excellence shall be divided into three major categories:

- a. **Bronze Category** – for those who comply to the mandatory accreditation under D.O.T. Memorandum Circular No. 2012-02
- b. **Silver Category** – for those who comply to the mandatory accreditation under D.O.T. Memorandum Circular No. 2012-02 and at least three (3) of other requirements cited in Section 33 of this Code
- c. **Gold Category** – for those who comply to all the requirements cited in Section 33 of this Code

**ARTICLE IX
ACCREDITATION TEAM AND INSPECTION**

SECTION 35. ACCREDITATION TEAM. – There is hereby created an Accreditation Team to be headed by the Rizal Tourism Office, which shall propose to the Governor other members to be taken from the Provincial YES Team and representatives from the YES Council and SIKAT Council pursuant to Executive Order No. 11, s. 2013 and Task Force Compliance pursuant to Executive Order No. 8 S. 2014;

SECTION 36. FUNCTION OF THE ACCREDITATION TEAM. - The Accreditation Team shall have exclusive authority to conduct inspection in all Tourism Establishments for purposes of facility assessment, accreditation and classification.

SECTION 37. FREQUENCY AND TIME OF REGULAR INSPECTION. – Inspection shall be made once every six (6) months during business hours.

SECTION 38. SPECIAL INSPECTIONS. – When public interest so requires, the recommendation of the Rizal Tourism Office Head, approved by the Provincial Governor, may serve as basis for an authorization for the Accreditation Team or any member or members thereof, to conduct a special inspection.

SECTION 39. CHECKLIST TO BE ACCOMPLISHED DURING INSPECTION. – The Rizal Tourism Office shall design the necessary checklist, subject to the approval of the Governor, that will be accomplished by all teams in carrying out its inspection. All findings and/or observations of the teams to be indicated in the checklist should be made in the presence of an authorized representative of the establishments and duly signed/noted by the said authorized representative.

SECTION 40. REPORT OF THE ACCREDITATION TEAM. – Within five (5) working days from the date of inspection, the Accreditation Team shall submit a report of its findings and/or recommendations to the Office of the Governor.

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SECTION 41. ACCESS OF INSPECTION TEAM TO RECORDS AND PREMISES. -

The Accreditation Team shall have access to the registry book or card of the tourism establishments and all parts and facilities thereof, and the right to interview any employee and investigate any fact, condition, or matter which may be necessary to determine any violation or aid in arriving at a just and correct conclusion.

SECTION 42. DEFECTS AND DEFICIENCIES FOUND DURING THE INSPECTION. -

Where certain defects or deficiencies have been found in the course of inspection, the Rizal Tourism Office shall give directions to the manager/operator of the tourism establishments concerned to rectify/remedy the defects or deficiencies within a period of one (1) week from notice thereof. In case, tourism enterprise fails to address the defects or deficiencies identified, it shall be subject to cancellation, suspension or non-renewal as stated in Article XI of this Code.

**ARTICLE X
CERTIFICATE OF ACCREDITATION**

SECTION 43. ISSUANCE OF CERTIFICATE OF ACCREDITATION AND STICKER.

- a. After having determined that all requirements set forth in the preceding sections have been satisfied and/or completed by the applicant, the Provincial Government shall issue the corresponding Certificate of Excellence as well as the Seal of Excellence sticker.
- b. The Rizal Tourism Office shall adopt a seal (sticker) for accreditation purposes.
- c. Accreditation issued is non-transferrable.
- d. Any fee to be collected relative to accreditation shall be made in accordance with the Revenue Code of the Province of Rizal and its amendments.

SECTION 44. OBJECTION TO APPLICATION FOR ACCREDITATION OF TOURISM RELATED/ORIENTED ESTABLISHMENTS. -

Any person may file a written objection to the Rizal Tourism Office for the issuance or renewal of Certificate of Accreditation and/or sticker to the applicant. The Rizal Tourism Office shall within three (3) working days from said filing furnish the applicant with a copy of the objection and require them to answer within five (5) working days from receipt thereof. Within seven (7) working days from receipt of the answer of the applicant, the Rizal Tourism Office shall then conduct a hearing with both parties duly notified and present. The Rizal Tourism Office in coordination with the Provincial Legal Office shall render a decision on the objection within seven (7) working days from the start of the hearing.

SECTION 45. VALIDITY OF CERTIFICATE OF ACCREDITATION. - The Certificate of Accreditation of tourism-oriented and tourism-related establishments shall be valid for a period of one (1) year until revoked or canceled for a valid cause. If the tourism-oriented and/or tourism-related establishment concerned has ceased operation for at least three (3) months, it shall re-apply for accreditation.

SECTION 46. RENEWAL OF ACCREDITATION. - Application for the renewal of accreditation shall be supported by documents as required under this Code together with the Accreditation given by the Rizal Tourism Office.

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SECTION 47. DISPLAY OF CERTIFICATE AND STICKER OF ACCREDITATION. – The Certificate of Accreditation and Seal of Excellence shall be displayed in a conspicuous area in their place of business. Stickers shall be posted in entrances/doors, gates of such establishments for easy identification purposes.

**ARTICLE XI
CANCELLATION, SUSPENSION AND NON-RENEWAL OF ACCREDITATION OF
TOURISM-ORIENTED OR RELATED ESTABLISHMENTS**

SECTION 48. GROUNDS FOR CANCELLATION AND/OR NON-RENEWAL OF ACCREDITATION.

- (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 issuance, grant or renewal of any certificate of registration/accreditation/reaccreditation or license;
- (b) Failure to comply with or contravene any of the conditions set forth in Accreditation;
- (c) Failure to meet the standards and requirements for the operation of tourism establishments, as prescribed in these rules;
- (d) Serious physical injury or loss of life of any guest due to the fault or negligence of its official or employee (for resort/hotel/tourist inn/apartel/ and other tourism-related establishments);
- (e) Allowing or permitting the tourism establishment, including any of its facilities, to be used for illegal, immoral, illicit activities, such as: gambling, prostitution, etc. (for resort/hotel/tourist inn, apartel or other tourism-related establishment);
- * Managers and/or Operators shall exert all possible efforts not to permit a person whom they know to be drunk and/or have reason to believe either to be a prostitute, a pedophile or a bad character to occupy any room or to frequent the premises. To accomplish this end, they shall immediately report to the nearest police station the presence in the premises of any such person.
- (f) Violation of any of the conditions of the LTFRB franchise (for tourist transport operation);
- (g) Tolerance of gross misconduct, discourtesy, dishonesty, misrepresentation and/or fraudulent solicitation of business committed by any of the officers or employees against their clients to the detriment of the tourism industry;
- (h) Willful violation of agreements and/or contracts entered into by the tourism establishment and its clients;
- (i) Failure to pay fine, as well as fees, dues and contributions imposed under existing laws;

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(k) Employment/hiring of employees (Tour Guides) who are not holders of license issued by the Business Permit and Licensing Office (BPLO) or non-Filipino employees, whether contractual or permanent, without valid working visa and working permit;

(l) Any other acts/omissions that worked against the interest of the tourism industry.

ARTICLE XII INCENTIVES

SECTION 49. INCENTIVES FOR ACCREDITED TOURISM ESTABLISHMENTS. - Tourism-oriented and Tourism-related establishments which are duly registered and accredited by the Provincial Government shall be entitled to the following incentives:

- a. Assistance to the processing of DOT Accreditation.
- b. Promotion in publications/brochures/tourism flyers/leaflets/collateral materials and online media.
- c. Inclusion in Lakbay-Aral Tours / tour packages.
- d. Incentives provided under the Provincial Ordinance No. 007, S. 2012 or the "Rizal Province Investments and Incentives Code of 2012".
- e. Local and international linkaging

SECTION 50. RECOMMENDATION AND ENDORSEMENT. - The recommendation and endorsement shall be issued by the Rizal Tourism Office to establishments that have fully met the requirements of the Rizal SIKAT Council and the LGU's concerned where the tourism investment is located.

ARTICLE XIII ASSESSMENT, MONITORING AND EVALUATION

SECTION 51. MONITORING AND EVALUATION SYSTEM. The Rizal Tourism Office, together with the Rizal SIKAT Council and the respective LGU's, shall establish a monitoring and evaluation system in order to evaluate the economic, social and environmental impact of the tourism activity. They should cover all elements that are crucial to sustainability of the tourism resource in compliance with the provisions of this Code. Monitoring and evaluation indicators should include service quality and participation of local communities.

ARTICLE XIV SUPPLEMENTARY PROVISIONS

SECTION 52. NATIONAL LAWS, RULES, REGULATIONS AND ISSUANCE APPLICABILITY. - In the implementation of the provisions of this Code, reference shall always be made to existing national laws, rules, regulations and issuance on Tourism. For this purpose, the Rizal SIKAT Council shall draft and issue directives to carry out the provisions of applicable laws.

SECTION 53. APPLICABILITY OF THE ENVIRONMENT CODE. - Environmental laws, rules and regulations relevant to the Tourism Industry are hereby adopted to highlight the importance of environmental preservation and protection.

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**ARTICLE XV
FUNDING REQUIREMENTS**

SECTION 54. RIZAL TOURISM DEVELOPMENT FUND. – This fund shall be established for the implementation of various tourism-related development programs, projects and activities which may be taken from the General Fund and/or external sources.

SECTION 55. REGULAR BUDGETS. -The funds necessary for the implementation of this Ordinance shall be taken from the annual appropriations of the Rizal Tourism Office under the Office of the Governor.

SECTION 56. FUNDING SUPPORT FROM THE NATIONAL GOVERNMENT. - Specific tourism projects may be undertaken with funding support from the National Government through representation made by the Local Government Units.

**ARTICLE XVI
PENALTY PROVISION**

SECTION 57. PENALTIES: Any person, corporation or entity found to have violated this Ordinance shall be penalized as follows:

- a) First offense – a fine of Two Thousand Five Hundred Pesos (Php2,500.00) and suspension of operation and/or engaging in any tourism-related businesses for one (1) month or to;
- b) Second Offense – a fine of Three Thousand Five Hundred Pesos(Php3,500.00) and suspension of operation and/or engaging in any tourism-related businesses for three (3) months;
- c) Third Offense – a fine of Five Thousand Pesos (Php5,000.00) and disqualification to engage in any tourism-related businesses.

**ARTICLE XVII
MISCELLANEOUS PROVISIONS**

SECTION 58. CONFIDENTIAL CHARACTER OF CERTAIN DATA. - Information and documents received by or filed with the Rizal Tourism Office in pursuance of the requirements of this Ordinance shall be treated as confidential and shall not be divulged without the consent of the party concerned unless public interest so requires. Any official or employee of the Rizal Tourism Office, including those that are temporarily assigned therewith, who shall violate the provision of this Section shall be guilty of an offense under this Ordinance and dealt with according to applicable laws, rules or regulations.

SECTION 59. IMPLEMENTING RULES. - Within thirty (30) days from the approval of this Ordinance, the Provincial Legal Office, in coordination with the Provincial Tourism Office, Provincial Planning and Development Office and the Rizal Environment and Natural Resources Office shall formulate the necessary Implementing Rules and Regulations for the efficient and effective implementation of this Ordinance. The said Implementing Guidelines shall take effect after fifteen (15) days upon review and approval of the Provincial Governor.

ROSAVITA VALERIO
ADMINISTRATIVE DEPARTMENT
NOV 24 2014

**ARTICLE XVIII
FINAL PROVISIONS**

SECTION 60. SEPARABILITY CLAUSE. - If for any reason or reasons, any part or provision of this Ordinance shall be held unconstitutional or invalid, other parts which are not affected thereby shall continue to be in full force and effect.

SECTION 61. REPEALING CLAUSE. - Any Ordinance, Executive Order, Local Issuances, or Rules and Regulations, or parts thereof, which are inconsistent with this Ordinance are hereby repealed and/or modified accordingly.

SECTION 62. EFFECTIVITY CLAUSE - This Ordinance shall take effect upon compliance of the mandatory posting and publication requirements prescribed under Republic Act No. 7160, otherwise known as the Local Government Code of 1991.

ENACTED, this 17th day of November 2014, at the Gat Jose P. Rizal Hall, Rizal Provincial Capitol, Antipolo City.

CERTIFIED APPROVED, TRUE AND CORRECT:


JOSEPH G. CENIDOZA
Provincial Board Secretary

ATTESTED:


ENGR. FRISCO S. SAN JUAN, JR.
Vice Governor
Presiding Officer

APPROVED:


REBECCA A. YNARES
Governor

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ROSANNA H. YACHO
ADMINISTRATIVE OFFICER
OFFICE OF THE GOVERNOR
ANTIPOLLO PROVINCE