



REPUBLIKA NG PILIPINAS
PAMAHALAANG LUNGSOD NG MUNTINLUPA
KALAKHANG MAYNILA

Sangguniang Panlungsod

ORDINANCE NO. 99-044

AN ORDINANCE ESTABLISHING THE TOURISM CODE OF MUNTINLUPA CITY AND PRESCRIBING PENALTIES FOR VIOLATIONS THEREOF.

Sponsored by: Coun. Mario E. Bulay, Jr.

Co-Sponsored: Coun. Aldrin L. San Pedro
Coun. Raul R. Corro
Coun. Jo Jason T. Alcaraz
Coun. Patricio L. Boncayao, Jr.
Coun. Bal Niefes
Coun. Nicanor L. Echavez, MD.
Coun. Victor L. Ulanday
Coun. Dante S. Almario
Coun. Elmer S. Espeleta
Coun. Reynaldo A. Abas, Jr.
Coun. Lucio B. Constantino
Coun. Artemio A. Simundac
Coun. Allan Rey A. Camilon

WHEREAS, Article 17 of Republic Act 7160 states that (a) *Local Government Units* shall endeavor to be self reliant and shall continue exercising the powers and discharging the duties, functions currently vested upon them. They shall also discharge the duties, functions and responsibilities of National Agencies and Offices devolved to them pursuant to this Code. Local Government Units (LGU) shall likewise exercise such other powers and discharge such other functions and responsibilities as are necessary, appropriate, or incidental to efficient and effective provision of the basic services and facilities enumerated herein. (b) Such basic services and facilities include, but are not limited to Tourism development and promotions program, Tourism facilities and other tourist attractions, including the acquisition of equipment, regulation and supervision of business concessions, and security services for such facilities;

WHEREAS, the City of Muntinlupa due to its proximity to an international airport, its modern infrastructures, with a well planned and developed Central Business District, known as the Filinvest Corporate City, also the site of the upcoming Information Technology (IT) Park declared as a Special Economic Zone, its mushrooming commercial shopping centers, malls, cultural and historical landmarks combined with the peoples rich traditions, lay the foundation for the development of a dynamic Tourism Industry;

WHEREAS, the slow pace progress in the development of Tourism Industry in Muntinlupa City and the failure to enhance and develop the tourism potential of the city as well as the inability to maximize the use of its tourism resources is due to the absence of an organic law that could provide the necessary foundation to any proposed Tourism program;

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WHEREAS, the Tourism in the City of Muntinlupa if fully harnessed and developed can greatly enhance the economic activity if business establishment within the city, provide more jobs for the populace and increase the financial resources of the City Government;

WHEREAS, the City Council of Muntinlupa, foreseeing the loss of opportunities brought about by the slow progress in the development of the City's Tourism Industry, deemed it necessary to enact an ordinance aimed at developing the Tourism potential and resources of Muntinlupa City, and ensuring the security, enjoyment and well-being of tourist as well as enhancing the quality of services offered by all tourism-oriented or related business establishments within its jurisdiction;

NOW THEREFORE, be it ordained by the City Council in session duly assembled that:

SECTION 1. Title – This ordinance shall be known as the Tourism Code of Muntinlupa.

SECTION 2. Regulated acts – No person, natural or juridical, partnership, corporation, single proprietorship or any other entity shall be allowed to keep, manage or operate any building, edifice or premises, or a completely independent part thereof, for the purpose of engaging in a tourist oriented business without having first secured from the Cultural, Tourism and Development Office (C.T.D.O) a certificate of registration of establishment, and a valid license from the Business Permit and License Office (BPLO).

2.a. All tourism oriented business establishments catering directly to domestic and foreign tourism, desiring to operate within the jurisdiction of the City of Muntinlupa shall be subject to an evaluation, site inspection and should meet the requirements, standard and proper documentation promulgated by the Cultural, Tourism and Development Office (C.T.D.O.) in coordination with the Department of Tourism (D.O.T), before they can secure a certificate of registration and a valid business permit.

2.b. Upon the effectivity and implementation of this ordinance, all tourism oriented business establishments that are already operating within the jurisdiction of the City of Muntinlupa shall also be subject to an evaluation, site inspection, based on the requirements, standard and proper documentation promulgated by the Cultural, Tourism and Development Office (C.T.D.O), in coordination with the Department of Tourism (DOT), prior to the registration of their establishment.

2.c. All tourism business establishment that failed to meet the requirements, standard and proper documentation upon evaluation, shall be given a prescribed period to comply, failure to comply upon the expiration of the prescribed period, shall not be allowed to register and shall result in to the cancellation of their business permit.



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2.d. Tourism related business establishment, catering incidentally to both domestic and foreign tourist that satisfactorily meet the standard upon the result of the evaluation conducted by the **Cultural, Tourism and Development Office (C.T.D.O)**, in coordinating with the **Department of Tourism (DOT)**, are also required to register.

2.e Certificate of registration business license shall be renewable on an annual basis. It shall be valid until revoked or cancelled for a reasonable cost. If the tourism oriented or related business establishment concerned has ceased operating for at least six (6) months, it shall re-apply for registration.

2.f. All registered and licensed Tourism and related business establishments located within the **City of Muntinlupa** shall conform with the programs, guidelines, rules and promulgated by the **Cultural, Tourism and Development Office (CTDO)** in coordination with the Department of Tourism (DOT).

SECTION 3. Scope – This ordinance shall pre-qualify, govern and regulate the operation, promotion and development of tourism-oriented or related business establishments within the city.

SECTION 4. Application – This ordinance shall apply to all business establishments within the city engaged in tourism-oriented or related operations, catering directly or incidentally to domestic or foreign tourist.

SECTION 5. Construction – These implementing rules and regulations shall be liberally construed in order to promote and implement its objectives.

SECTION 6. Definitions - For purposes of this ordinance, the terms and phrases enumerated in this section shall be construed or interpreted to mean or refer to, as follows:

- 6.1. **Tourism – Oriented Establishment** – Any of the following establishment which caters directly to both foreign and local tourist;
 - a. **Hotels** – any building, edifice or premises or a completely independent part thereof, which is used for the regular reception accommodation or lodging of travelers or tourists and the provision of services incidental thereof for a fee;
 - b. **Tourist Inn** – a lodging establishment catering to local and foreign tourists not meeting the minimum requirements of an economy hotel;
 - c. **Motorist Hotel** - a lodging inn for a tourist and travelers journeying by automobiles;



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- d. **Apartel** – any building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourist and travelers for a period of not less than one day;
- e. **Travel Agency** – an entity which may either be a single proprietorship, partnership or corporation regularly engaged in business of extending to individuals or groups, such services pertaining to documentation travel papers, ticketing sales and/or accommodation, handling and/or conduct of tours within or outside the Philippines for a fee, commission or any form of compensation;
- f. **Tour Services** – refers to tourist transport, business operation by air, sea or land either on character or regular run;
- g. **Resort** – any place or places with pleasant environment and atmosphere conducive to comfort, healthful relaxation and rest, offering foods, sleeping accommodations, swimming and other recreational facilities to the public for remuneration;
- h. **Pension House** – a private, or family operated tourist boarding house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourist and/or travelers, containing several independent settable rooms, providing common facilities such as toilets, bathrooms/showers, living and dining rooms and/or kitchen and where a combination of board and lodging maybe provided;
- i. **Special Interest Resort** – refers to resorts located at appropriate seaside, sea borne, or river sites, providing facilities and equipment for the conduct of special interest activities such as bird watching camping, (either motorized or horseback target shooting and theme parks,) such as marine aquarium parks;
- j. **Tour Guide** – an individual authorized to guide tourist both foreign and domestic for a fee, commission or any other form of lawful remuneration;
- k. **Ticket Sales Office or General Sales Agent** – an outlet or any establishments that sells air, land and sea transportation tickets;
- l. **Travel Consultants** – any establishment that act as a consultancy firm, pertaining to immigration and facilitation of travel documents;
- m. Any other establishments catering directly to foreign or local tourist;

6.2. **TOURISM-RELATED ESTABLISHMENTS** – any of the following establishment which caters indirectly to both foreign and local travelers and tourist.



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- a. **Restaurant** – any establishment offering to the public regular and special meals or menu cooked foods and short orders, beverages and drinks.
- b. **Shops** – a small store selling a certain kind of goods.
- c. **Department Stores** – a large retail store offering many kind of goods and services and divided into departments.
- d. **Malls** – an enclosed building where different kinds of shopping establishment are located.
- e. **Museums** – a building, room for exhibiting works of art historical or scientific objects.
- f. **Tourist Manpower Training Center** – a center conducting training for the manpower requirements of the tourism industry.
- g. **Rest areas in gasoline Stations** – an area within a gasoline station designed to provide comfort and convenience to commuters, with groceries and food outlets.
- h. **Sports and recreational facilities** – include swimming pools, bowling lanes, tennis courts, pelota or squash courts, golf courses, riding range, shooting range, archery range, aquatic/water sports arrangements fishing, water skating and similar facilities forming part of the resort.
- i. **Bar Cocktail lounge, beerhouse, gardens** – includes any place where intoxicating and fermented liquors or malt are sold, even without food, where services of hired hostesses, guest relation officers and/or waitresses are employed and where customers may dance to the music rendered by a regular dance orchestra or musicians hired for the purpose.
- j. **Night or day clubs** – includes any place frequented at night-time or day-time as the case maybe, where patrons are served food and drinks and are allowed to dance with their partners or with professional hostesses furnished by the management. Night and day club means essentially the same as “Night or Day Club” except that it opens both during night time and day time.
- k. **Super Club** - includes any establishments where food and drinks are served to its patrons to the accompaniment of music furnished by such establishment with musicians under its employ or by jukeboxes player installed within its premises, and where patrons are allowed to dance only with partners who they bring along.



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- l. **Convenience Store** – refers to any 24 hours service consumer retail outlet.
- m. **Theaters and Cinemas** – a public building, room or other place where dramatic representations, motion pictures are shown.
- n. **Saunas and Health Clubs** – refers to therapeutic massage and health parlors.
- o. Any other establishments that caters incidentally to foreign and local tourist.

- 6.3. **C.T.D.O.** – refers to Cultural and Tourism Development Office.
- 6.4. **BPLO** – refers to Business Permit and Licensing Office.
- 6.5. **Registration** – refers to the list of Tourism-Oriented or related establishments certified by the C.T.D.O.
- 6.6. **Inbound Tour** – a tour to or of the Philippines or any place within the country.
- 6.7. **Outbound Tour** - a tour or any other place outside of the Philippines.
- 6.8. **D.O.T** – Department of Tourism.
- 6.9. **L.T.F.R.B** – Land Transportation, Franchising and Regulatory Board.
- 6.10. **Tenant** – any tourist travelers who is registered as paying occupant of any apartment-hotel.
- 6.11. **Tourist Water and Air Transport operator** – any water craft or air conveyance catering to tourist.
- 6.12. **Tourist Guide** – an individual who is licensed by the BPLO and registered with the CTDO, to guide tourists both foreign and domestic, for a fee, commission or any other form of lawful remuneration.
- 6.13. **Associations** – an organization of persons, entities having the subject of tourism as a common interest.
- 6.14. **T.C.M.A.I.** – Tourism Council of Muntinlupa Association Incorporated.

SECTION 7. Implementing body – for purposes of implementation of the provisions of this ordinance, the technical and administrative functions and duties shall be performed by the following:



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- a) Cultural and Tourism Development Office
- b) Muntinlupa Tourist Council
- c) Business Permit and Licensing Office
- d) Committee on Tourism, Culture and Foreign Relation
- e) Health Department
- f) Police Department

SECTION 8. *The TCMAI in coordination with the CTDO, BPLO, and DOT, shall regulate, promote and coordinate all tourism programs and activities within the City.*

The Council shall meet regularly once a month and call for an emergency meeting as the need arises in the presence of its duly elected chairman and three (3) members who shall constitute a quorum and their acts shall be deemed as official. The Council shall have the following duties and responsibilities.

- a) Ratify all Certificate of Registration issued by CTDO to tourism establishments;
- b) Exercise appellate jurisdiction on decisions or actions of the CTDO and BPLO on matters involving the issuance, renewal, revocation or denial of Certificates of Registration and/or License of Tourism Establishments, and other cases arising from the implementation of this ordinance and shall resolve the same within fifteen (15) days from termination of the hearing. All orders or resolutions of the Board shall be appealable to the City Mayor whose decision is final and immediately executory;
- c) When public interest require and upon recommendation of the CTDO, authorize special inspections by the composite inspection team or any member thereof, to tourism establishments.
- d) Formulate and recommend to the City Mayor, policies and program aimed at promoting the tourism industry in Muntinlupa City;
- e) Perform other duties and responsibilities as maybe required by law or this ordinance;

SECTION 9. *Documents – required supporting application for licensing and registration.* For newly establishment business unless otherwise indicated in the form, the application shall be composed of four (4) copies of the following documents depending in the type of operations.



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9.1. **Resort**

- a) In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its By-laws, or Articles of Partnership and amendments thereof, duly registered with the Securities and Exchange Commission (SEC) and business name certificate. In the case of single proprietorship, business name and amendments thereof, if any;
- b) A list of the name of all officials and employees and their respective designation, nationality, home address, for alien personnel, valid visa from Commission on Immigration and Deportation and their proper permit from the Department of Labor and Employment shall be submitted;
- c) Annual General Liability Insurance for guests in the minimum amount of P 20,000.00 and the maximum of P 100,000.00;
- d) List of proprietor, principal owners, major partners, major stockholders, controlling members, their nationality, capital contributions, stock of participation; in the case of corporation, such list must indicate the quantity per value and type (whether voting or non-voting) of the stock with an indication of the absolute total value of the total outstanding voting stock and its ratio to their total value of the outstanding non-voting stock; and in all cases, the list shall be accomplished by proof of their financial capacity such as sworn statement of assets and liabilities, and income tax return;
- e) Sworn certificate or list containing the names of the hotel keeper/manager, assistant hotel keeper/manager and other members of the hotel staff and their respective designators, nationalities, home address, and accompanied by a passport size photo of each of them;
- f) Joint venture and/or technological assistance agreements, if any/existing or proposed or about to be entered into with foreign nationals;

9.2. **HOTEL**

- a. In the case of corporation, partnership, single proprietorship, or other entity, a certified copy of each articles of incorporation and by-laws; constitution and by-laws, article of partnership or associations; or registration of business name and amendment thereof, duly registered with Security and Exchange Commission or other registered government agency, as the case maybe;



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- b. Resolution of the Board of Directors of the corporation, association or other entity authorizing the filing of the application and designation of its representative authorized to act for its behalf;
- c. In the case of corporation, association or other entity, list of directors and other principal officers and their respective Nationalities;
- d. List of proprietorship, principal owners, major partners, major stockholder, or controlling member their nationalities, capital contributions, stock or participation; in case of incorporation, such list must indicate the quantity, per value and type (whether voting or non-voting), of the stock with an indication of the absolute total value of the outstanding voting stocks and its ratio to the total value of the non-voting stocks, and in all cases, the list shall be accompanied by proof of their financial capacity such as sworn statements of assets and liabilities, and income tax returns;
- e. Sworn Certificate or list containing the names of the hotel keeper/manager, assistant hotel keeper/manager and other members of the hotel staff and their respective designators, nationalities, home addresses and accompanied by a passport size photo of each of them;
- f. Joint venture and/or technological assistance agreements, if any/existing or proposed or about to be entered into with foreign nationals;
- g. Schedule of current room rates/Food and Beverage prices of menu for hotels;
- h. Such other papers or documents maybe required by pertinent laws, rules and regulations;

9.3. **Tourist Inn/Apartel**

- a) In the case of corporation or partnership, a certified true copy of the articles of incorporation, its by-laws or Articles of Partnership and amendments thereof duly registered with the Securities and Exchange Commission (SEC) and business name certificate.
- b) A list of a names of all officials and employees and their respective designations, nationalities and their home address; and for alien personnel valid visa from Commission on Immigration and Deportation and the proper permit from the Department of Labor and Employment;



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- c) Annual General Liability Insurance for guest in the apartel/inn of not less than **Thirty Thousand Pesos (P30,000.00)**.

9.4. **Travel Agency**

- a) A copy of a Certificate of Registration with the *Securities and Exchange Commission (SEC)*, with a total paid up capital of **Five Hundred Thousand Pesos (P500,000.00)**;
- b) A copy of the Registration of their business name if sole proprietorship;
- c) A two (2) years audited Financial Statement for those who are already existing, and a projected Financial Statement for those who are about to establish;
- d) Surety bond in the amount of **Five Hundred Thousand Pesos (P500,000.00)** issued by a duly accredited bonding company of good standing in favor of the city and conditioned to answer for any and all liabilities resulting from or incurred in the course of travel and tour operator, which shall be valid for a one (1) year from the date of issuance of the license;
- e) Complete list of personnel together with one by one (1x1) photo of each and notarized certification of the general manager that they are without criminal record.

For Inbound – in the case of the manager, proof that he has at least three (3) years of experience in tour operations or has earned a degree of Bachelor of Science in Tourism or has successfully completed a tour operator course.

Proof – that at least two (2) of the permanent staffs have at least two (2) years experience in tour operations.

Out bound – In the case of the manager, proof that he has at least three (3) years experience in travel agency operation or has come a degree in Bachelor of Science in Tourism or has successfully complete a Travel Agency Management Course.

Proof that at least two (2) of the permanent staff have completed ticketing and reservation course and have at least one (1) year work experience.

- f) List of the names and addresses of Tourist Guides and Travel Representatives;



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- g) For alien personnel, valid visa from the Bureau of Immigration and Deportation and the proper working Permit from the Department of Labor and Employment;
- h) Contract of Lease of the office space intended for the use of the agency and in case the owner of the agency is the owner of the building or the premises concerned, proof of ownership must be submitted;
- i) A Board Resolution designating the person authorized to sign and transact the business with CTDO, in behalf of the applicant; and
- j) Such person documents the CTDO and BPLO may require pursuant to existing laws, ordinances and other legal issuance.

9.4a **Travel Consultants**

- a) Same as with the requirements stipulated in a travel agency except for the amount of total paid up capital which is **Two Hundred Fifty Thousand Pesos (P250,000.00)**.

9.5 **Additional Requirements for Travel Agency using a Motor Vehicle** - No travel agency shall use any motor vehicle while conducting tours or transporting tourist, unless such motor vehicle is registered with C.T.D.O, and sporting a tourist plate.

9.6 **Establishment of Branch** - Before the establishment or operation of a branch, the travel agency shall give notice to and secure prior approval from C.T.D.O.

9.7 **Documents** - to be submitted in support of an application to establish an operative branch:

- a) Resolution signed by all members of the Board of Directors, approving its establishment (or authorizing its continuation, if renewal) and designating the person authorized to sign the application;
- b) Affidavit executed by the general manager of the main office acknowledging the existence of said office, assuming full responsibility of its operations, and certifying that it is not managed or operated by persons/entities other than the duly accredited employees of officer of the office;
- c) List of personnel and their respective designation, citizenship, home address and one (1) 1x1 in photo each, together with notarized certification by the General Manager of the Main Office that they are without criminal record.

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- d) Surety bond of **Five Hundred Thousand Pesos (P500,000.00)** issued by a duly licensed insurance or bonding company of good standing for the said purpose.

9.8 Tour Guide

- a) Proof that the applicant has passed the seminar for tour guides duly conducted by the Department of Tourism or other government agencies duly authorized by the Department conduct seminar; Provided, however, that this requirement maybe waived by the City with the concurrence of the Department of Tourism where the applicant possesses special academic or professional qualification relevant to tourism;
- b) Certification of good health issued by any duly accredited government physician;
- c) Clearance from the *National Bureau of Investigation* (NBI);
- d) In the case of alien applicants, proof of employment with duly licensed agency, permit to work or registration certificate from the Department of Labor and Employment and a certificate by the proper official of the home state of the applicant to the effect that the law grants reciprocal rights to Filipino Citizens to engage in tour guiding which must be properly authenticated.
- e) Latest Income Tax Return.

9.9 Tourist Transport Operation

- a) Business name certificate and all amendments thereto, if any, in the case of a corporation or partnership, a certified true copy of the Articles of Incorporations, its by-laws or Articles of Partnership and amendments thereto, if any, duly registered with the Securities and Exchange Commission;
- b) Proof of ownership or lease over an area adequate to serve as maintenance depot and garage for all its units;
- c) A list of names of all officials and employees and their respective designation, nationalities, home address, certified correct under oath by the secretary of the firm or the proprietor himself;



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d) Surety bond in the amount of **Ten Thousand Pesos (P10,000.00)** issued by a duly licensed insurance or bonding company of good standing in favor of the Muntinlupa City Government and conditioned to answer for any and all liabilities resulting from or incurred in the course of the tourist transport and;

e) Such other papers or documents as maybe required from time to time by CTDO, pursuant to existing laws, ordinances, and other legal issuance.

9.9 Documents Required to Support Application for Registration of Vehicle as Tourist Transport.

a) Certificate of Inspection by CTDO for the LTO registration of the Tourist Transport;

b) A copy of the LTFRB (formerly the Board of Transportation) Certificate of Public Conveyance franchise or authorization;

c) A copy of the Transportation rates as approved by the LTFRB;

d) A compulsory comprehensive motor vehicle liability insurance at the prevailing rate;

e) 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;

f) Such other papers and documents as may be required from time to time by CTDO pursuant to existing laws, ordinances and other legal issuance.

9.11 Tourism Related Establishments

a) In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its By-laws, or Articles or Partnership and amendments thereof, duly registered with the Securities and Exchange Commission (SEC), and business name certificate, in case of a single proprietorship, business, name certificate and Amendments thereof, if any;

b) Such other requirements as may be requested and/or deemed necessary by CTDO, BPLO, and other implementing officers/departments;



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Establishments catering exclusively to international tourists with offices in the City shall also be required to register with CTDO;

SECTION 10. Composite Inspection Team – The Composite Inspection Team of the BPLO and one (1) appointed representative from the CTDO should conduct the necessary site inspection.

SECTION 11 - Functions of the Composite Inspections Teams – For all establishments already in operation, the Composite Inspection Teams shall have exclusive authority to conduct inspection for purpose of renewal of license. For new establishments, the normal process of requiring the clearances and recommendation of the different technical departments is required.

SECTION 12. Frequency and Time of Regular Inspections – Inspection shall be made every quarter.

SECTION 13. Special Inspections - When public interest so requires, the Tourism Council, upon recommendation of CTDO, may authorize the Composite Inspection Teams or any member or members thereof, to conduct special inspection.

SECTION 14. Checklist to be accomplished during Inspection - CTDO shall provide the necessary checklist to be accomplished by all team 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 15. Report of the Inspection Team/s - Within five (5) working days from the date of inspection, the team leader shall submit a report of its findings and and/or recommendation to the head CTDO.

SECTION 16. Registration – A registration fee shall be imposed on all tourism establishments, whether operating as principal, branch or extension office/ at he City payable as follows and without prejudice to the collection of taxes, fees and surcharges imposed under existing laws, ordinances regulations and other local issuance. An annual registration shall be imposed on a pro-rata basis.

16.1 Tourism-Oriented Business Establishments - An annual registration fee of **One Thousand Pesos (P1,000.00)** for the first year. **Two Thousand Pesos (P2,000.00)** for the Second year and **Three Thousand Pesos (P3,000.00)** for the Third year and succeeding years.

16.2 Tourism Related Business Establishments - An annual registration fee in the amount of **One Thousand Pesos (P1,000.00)** for the fist year and succeeding years.



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SECTION 17. Issuance of Certification/License - After having determined that all requirements set forth in the preceding sections have been satisfied and/or completed by the applicant, the CTDO and BPLO shall issue the corresponding certificate of registration, license and sticker within seven (7) working days after the receipt of application.

SECTION 18. Objection to applications for registration and License of premises - Any person may file a written objection to the CTDO for the issuance or renewal of Certificate of Registration/License and/or sticker to the applicant. The objection shall state the facts upon which it is based and shall be sworn to before a person authorized to administer oath.

Upon receipt of such objection, the CTDO shall within three (3) working days furnish the applicant with a copy of the objection and require them to answer within five (5) working days from receipt thereof.

The CTDO shall then conduct a hearing with both parties duly notified and present. The CTDO shall render a decision on the objection within seven (7) working days from the start of the hearing.

SECTION 19. Documents/Requirements to be submitted for the renewal of License - Application for the renewal of license shall be supported by the following documents:

- 19.1. A copy of the amended Articles of Incorporation or Article of Partnership and By-laws, if any;
- 19.2. List and information sheets of additional personnel if any, or any change in the manpower;
- 19.3. Latest Income Tax Return and Audited Financial Statements covering the preceding years operation, provided, that if this requirement is not available at the time of renewal, the name shall be submitted not later than April 30 of the present year;
- 19.4. A resolution of the Board of Directors authorizing the continuation of business;
- 19.5. Proof of renewal of General Liability Insurance (additional requirements for resort and tourist/apartels);
- 19.6. Renewal of Surety Bond;
- 19.7. Barangay Clearance.



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SECTION 20. Grounds for the closure of Tourism Establishments, Imposition of Fines, Forfeited of Bond, Suspension, Cancellation and/or Non-renewal of License.

- 20.1. Making any false declaration or statements or making use of any such declaration of statement of 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 – re-accreditation or license;
 - 20.2. Failure to comply with any of the condition set forth in license;
 - 20.3. Failure to meet the standards and requirements for the operation of tourism establishments, as prescribed in these rules;
 - 20.4. Serious physical injury or loss of life of any guest due to the fault or negligence of its official or employee (for resort/hotel/tourism inn/apartel/other tourism related establishments);
 - 20.5. Allowing or permitting tourism establishments, including any of its facilities, to be used for illegal, immoral, illicit activities; such as gambling, prostitution, etc., (for resort/hotel/tourism inn/apartel/other related establishments);
- 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 to be either 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.
- 20.6 Violation of any of the conditions of the LTFRB franchise (for tourist transport operation);
 - 20.7 Tolerance of gross misconduct, discourtesy, dishonesty, or 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;
 - 20.8 Willful violation of agreements and/or contracts entered into by the tourism establishment and its clients;
 - 20.9 Failure to replace or renew the surety bond within fifteen (15) days from the date when said bond is ordered, forfeited, or confiscated in accordance with these rules or cancelled and/or revoked for whatever cause (in case of travel agency);

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- 20.10 Failure to pay fines, as well as fees, dues and contribution imposed under existing laws;
- 20.11 Failure to submit a notice of any change in its personnel within fifteen (15) working days of such change;
- 20.12 Employment/hiring of employees (tour guides) who are not holders of license issued by the Department of Tourism and non-Filipino employees, whether contractual or permanent, without valid working visa and work permits;
- 20.13 Opening of any branch without prior approval of CTDO;
- 20.14 Non-settlement of account and/or non remittance of collection due to carrier of their co-agencies, or any agency of the government or any individual within the period prescribed by laws;
- 20.15 Any other acts/commission that worked against the interest of the tourism industry.

SECTION 21. Cancellation of License

- 21.1.1 Conviction of a crime involving moral turpitude; and
- 21.1.2 Any other acts committed that is inimical to the well being, of the tourist.

SECTION 22. Suspension of License

- 22.1. Any overt act of dishonesty, misrepresentation or misconduct committed against a member of his/her tour group or against her employer or co-employees;
- 22.2. Forced tipping or contribution from tourists;
- 22.3. Failure to comply with the requirement as to the compulsory wearing of ID, and;
- 22.4. Violation of any of the provisions of these Rules and Regulations.

SECTION 23. Transfer of Certificate or Registration/License - The certificate of registration and license is a matter of privilege and maybe issued only to qualified applicants. Accordingly, no owner and/or operator shall transfer or alienate in any manner the said certificate and license.

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SECTION 24. *Display of Certificate of Registration/License and Stickers* – The certificate of registration and license shall be displayed in a conspicuous area in their place of business. Sticker shall be posted in entrance/doors/gates of such establishments for easy identification purpose.

SECTION 25. *Registry* - resort/hotel/apartel/tourist inn/pension house/lodge shall keep a registry or record book. All guests/visitors/ seeking accommodation shall be required to register the following particulars in the registry and/or record book.

- 25.1 Full name;
- 25.2 Particulars of any identity card, passport or other travels documents issued to him/her;
- 25.3 The place of origin and permanent, regular, or known address;
- 25.4 The probable duration of his stay and his intended destination;
- 25.5 The occupation and place of employment;
- 25.6 Nationality;
- 25.7 The hour and date of arrival.

SECTION 26. *Time of entry of particulars* - Before the guests/visitors are allowed to occupy certain room of a resort/hotel/apartel/tourism inn/pension house/lodge and/or its respective premises, the particulars described in the preceding section shall be entered forth within the registry of book or card, or if he/she is not able to write, by the keepers/managers/clerks and in either case, the entry shall be signed by the guest or if he/she is unable to write, it should be authenticated by his/her right thumb print.

SECTION 27. *Visitors invited by guest required to Register* - Any visitors invited by guest to stay in his/her room shall register in a separate book for visitors in which shall be entered the name, address, and other particulars of the visitor.

SECTION 28. *False entry in registry book or card* - No manager/operation shall enter or cause to be entered in the registry book or card any information or particular which he knows or could by the exercise of reasonable diligence, have been ascertained to be false.

SECTION 29. *Registry of property left by guest* - A book in which shall be entered without delay the particular of any property left in any resort/hotel/apartel/tourist inn/pension house motorists hotel/lodge by any guest shall be kept in a manner which the CTDO may require.



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SECTION 30. *Guest suffering from dangerous, contagious and/or infectious disease* – The keeper/manager/operator shall immediately report to the CTDO any guest, tenant or members of any tourism establishment concerned who is found to be suffering from a dangerous, contagious and/or infectious and/or infection disease. The CTDO shall immediately refer the case to the City Health Officer, who shall issue the necessary directions/instructions to prevent the spread of the disease or to require the transfer of the patient to the hospital.

SECTION 31. *Death in the Tourism Establishment* - The keeper/manager/operator shall immediately report to the nearest police station the death of any person or one dying in a certain tourism establishment. A copy of the report shall be transmitted forthwith to C.T.D.O.

SECTION 32. *Employment of Foreign Nationals* - In the employment of foreign nationals, valid visa and permit to work issued by the Bureau of Immigration and the Department of Labor and Employment, respectively, shall be submitted.

SECTION 33. *Training of Filipino understudies* - Tourism establishment employing foreign nationals with supervisory, technical or advisory functions shall include in the contract of employment of such foreign nationals a provision of at least two (2) Filipino understudies to whom each foreign national will impart his specialized skill.

SECTION 34. *Submission of program* - The management shall submit to CTDO within five (5) working days from assumption of duties by the foreign nationals the program for training Filipinos.

SECTION 35. *Submission of annual reports* - The tourism establishments shall submit to CTDO an annual report on the progress of its training program of Filipino understudies by foreign nationals.

SECTION 37. *Surrender of ID Cards* - The keeper/manager/ operator of an tourist establishment shall require its officers/employees thereof who have ceased to be such, to surrender to the CTDO, their ID cards within three (3) working days from separation.

SECTION 38. *Periodic Inspection* - The composite inspection team shall conduct periodic inspection of tourism establishments.

The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to privacy of the guests.

All inspection shall be covered by mission orders stating therein the scope of authority and such other matters necessary for the purpose.



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SECTION 39. *Access of Composite Inspection Team to records and premises* – The inspection 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 40. *Defects and Deficiencies found during the inspection* - Where certain defects or deficiencies have been found in the course of inspection, the CTDO shall give directions to the keeper/manager/operator of the tourism establishments concerned to rectify/remedy the defects or deficiencies within the period of seven (7) working days from notice thereof.

SECTION 41. *Extension of the period* - The CTDO, may for good cause, extend the period within which to remedy the defects or deficiencies noted, but in no case shall the period of extension granted exceed two (2) months.

SECTION 42. *Penalty for failure to remedy the defects, etc.,* - If the management of any tourism-oriented and tourism related establishment fails to remedy the defects or deficiencies noted, the CTDO., shall impose a fine in the amount of **Two Thousand Five Hundred Pesos (P2,500.00)** respectively.

SECTION 43. *Liability of keepers/managers/operators for acts or behavior of tourism-oriented and tourism-related establishments employees* - Without prejudice to the provisions of existing laws, keepers/ managers/ operators and assistants of tourist establishments shall be administratively liable for the acts or commission of any of its members against any guests/visitors. They may however, be exempt from liability if they could establish that they have exercised the diligence of a good father of the family in the supervision of the employees, or where the acts, or behavior complained of are beyond the control of the keepers/ managers/ operators or their assistants due to fortuitous event or force majeure.

SECTION 44. *Commission of Acts Inimical to the Tourism Industry* - Commission by the manager/ operator or any member of the establishment, inimical to the interest of the tourism industry shall be sufficient ground for disciplinary, administrative and/ or legal action against him.

An act shall be considered inimical to the tourism industry when such act will prejudice the promotion of tourism in the City.

SECTION 45. *Training Program for staff* – All tourism establishments shall undertake to provide a staff training program to acquaint each member of the staff of its duties and responsibilities in coordination with the Tourism Council of Muntinlupa.



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SECTION 46 – Code of ethics and / or conduct – With the assistance of C.T.D.O., tourism establishment owners/ keepers / managers and / or associations, shall draft, their respective Code of Ethics and / or Conduct which shall govern their conduct in their dealings with one another and the conduct to be observed by the staff or employees towards each other and / or the guests or tenants of the establishment.

Such Code of Ethics and / or Conduct shall include the administrative penalties that maybe imposed for their violation, such as fine, suspension or dismissal from the service.

The Code of Ethics and /or conduct , once approved by the C.T.D.O., shall become part of these Rules; provided, that in case of conflict between any provision of these Rules and said Code of Ethics and / or Conduct, the former shall prevail.

SECTION 47. Promotion /Demotion – A hotel maybe promoted or demoted from one class to another as the facts may warrant.

SECTION 48. Promotion to the higher class - Any hotel that has upgraded its facilities and services or complied with the requirements of a higher-class hotel, may apply with C.T.D.O., for promotion to such higher class.

SECTION 49. Demotion to a lower class - Where after due investigation by the C.T.D.O., it has been established that a hotel is not being kept or managed in a manner conformable to the established standards, the C.T.D.O., shall give notice to the hotel keeper / manager, or operator or such fact, granting the hotel a period of time stated in the notice within which to comply with the standard set. If the hotel fails to comply within the period granted in the notice the C.T.D.O. shall remove the registration of the hotel from the class and replace to a lower class.

SECTION 50. Filing of schedule of charges - Tourism establishments shall file with C.T.D.O., and shall readily make available in printed or mimeographed form schedule of charges on all services and related fees. Any change in the charges shall be communicated to C.T.D.O. within seven (7) working days from the effectivity of such charges.

SECTION 51. Penalty - Any person or entities who violate any of the provisions of this Ordinance shall upon conviction by a competent court, suffer the penalty of imprisonment not exceeding **Five Thousand Pesos (P5,000.00)** or both upon the discretion of the court.

51.1 Penalty imposed upon officers of juridical persons;

If the offender of the provisions in the next preceding paragraph hereof is a corporation, partnership, firm or association, the penalty provided therefore shall be imposed upon the officer or officers responsible for the violation, and if such officer is an alien, he shall, in addition is subject to deportation.



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SECTION 52. Administrative penalties - Without prejudice to the application of the above penal sanctions, the C.T.D.O. may impose an administrative fine of not less than **Two Thousand Five Hundred Pesos (P2,500.00)** against any person, natural or juridical, who shall violate or cause another to violate any provision of this ordinance or suspend or revoke the license of such person.

SECTION 53. Privileges of registered tourism / related business establishments.

- a. "One stop shop" processing of registration and license at C.T.D.O. which shall be completed within a period of three (3) days.
- b. Granting of exemption from the "liquor ban" by the City Council Based upon the recommendation of C.T.D.O. and M.T.C.

Tourism - Oriented of related establishments shall be entitled to a wider promotion and campaign programs carried out by the C.T.D.O. in coordination with the Department of Tourism, both domestic and abroad.

Registered Tourism - Oriented or related business establishments shall be included and published in the list of accredited C.T.D.O. establishments within the City

Other supports programs and incentives to enhance and promote tourism-oriented and related activities.

SECTION 54. Grant of tax exemption and privileges by the city council to tourism establishments of international standards - In addition to the privileges mentioned in the preceding section, the City Council may upon recommendation of the Tourism Board, grant tax exemptions and incentives to tourism establishments of international standards such as, but not limited to, the following:

- 54.1. 5- star or De Luxe Hotel;
- 54.2. International Convention Center;
- 54.3. Man-made resorts or recreational parks of international Standard. Similar to "Disneyland" or "Ocean park";



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54.4 International film center/ movie studio with hi-tech, modern equipment and realistic film location sets of international standards similar to "Universal Studios";

54.5 Other similar establishments as may determine the Tourism Board.

SECTION 55. Confidential character of a certain data - Information and documents received by or filed with C.T.D.O. in pursuance of the requirements of the ordinance shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned when public interest so requires. Any official or employee of the C.T.D.O., including those that are temporarily assigned therewith who shall violate the provision of this section shall be guilty of an offense under this ordinance.

SECTION 56. Enlistment of aid assistance and support of their government agencies - In the implementation of the provisions of this ordinance, the C.T.D.O. may enlist the aid, assistance and support of any and all government agencies, whether local or national.

SECTION 57. Registration and license form - The C.T.D.O. and BPLO as the case maybe, shall make available all applications for registration and / or license forms which shall be accomplished by applicants and all other forms that may be deemed necessary for the said purposes.

SECTION 58. Implementation of rules - The City Mayor may from time to time, issue rules and regulations, as he may deemed fit and necessary for the effective implementation of this ordinance.

SECTION 59. Funding - The Cultural and Tourism Development Office shall be given additional funds under its Special Project Fund allocation, starting on calendar year 2000. The allocation will be taken from the general funds of the City and funding requirements for the succeeding years shall be provided in the annual or supplemental Budget of the City.

SECTION 60. Separability clause - The provisions of this ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all the other provisions are not affected thereby.

SECTION 61. Repealing clause - Any ordinance, executive order or rules and regulations of local issuance which are inconsistent with this ordinance are hereby repealed and / or modified accordingly.

SECTION 62. Effectivity - This Ordinance shall take effect upon its approval.




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Sangguniang Panlungsod

Ordinance No. 99-044


ENACTED, by the *Sangguniang Panlungsod of Muntinlupa* this **20th** day of **October, 1999**, on its **58th** Regular Session.

CONCURRED:

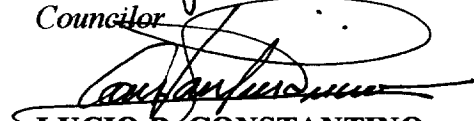

Atty. RAUL R. CORRO
Councilor


DANTE S. ALMARIO
Councilor

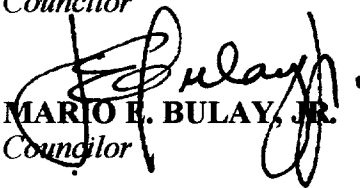

Atty. JO JASON T. ALCARAZ
Councilor


REYNALDO A. ABAS, JR.
Councilor


BAL NIEFES
Councilor


LUCIO B. CONSTANTINO
Councilor


Dr. NICANOR L. ECHAVEZ
Councilor


MARIO E. BULAY, JR.
Councilor


ALLAN KEY A. CAMILON
Sectoral Representative/President
Federation of Sangguniang Kabataan

ABSENT:


ALDRIN L. SAN PEDRO
Councilor

VICTOR L. ULANDAY
Councilor


ELMER S. ESPELETA
Councilor

ARTEMIO A. SIMUNDAC
Sectoral Representative/President
Association of Barangay Captains



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Sangguniang Panlungsod

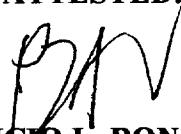
Ordinance No. 99-044

I HEREBY CERTIFY, as to the correctness of this ordinance.

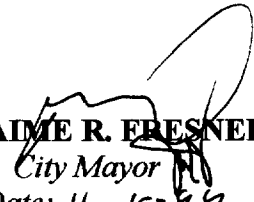

CECILIA C. LAZARTE
Secretary
SANGGUNIANG PANLUNGSOD



ATTESTED:


Atty. PATRICIO L. BONCAYAO, JR.
Acting Presiding Officer/Majority Floor Leader

APPROVED:


Atty. JAIME R. FRESNEDI
City Mayor
Date: 11-8-99



Norie/

