

RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF TOURIST-RELATED

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Pursuant to the authority vested in the Department of Tourism by Executive Order No. 120 "To Promulgate Rules and Regulations Governing the Operations and Activities of all Persons, Firms, Entities and Establishments that Cater to Tourists, to Provide Standard for Accreditation of Hotels, Resorts and to Prescribe Rules and Regulations Governing the Issuance of License to Travel Agencies, "and the provisions of Presidential Decree Nos. 259 and 1463 not inconsistent with said Executive Order, the following rules and regulations are hereby promulgated to govern the accreditation of motels, pensions, restaurants, shops, department stores and associations.

Chapter I

Concepts and Definition of Terms

SECTION 1. Definition of Terms - When used in these Rules, the following terms shall, unless the context otherwise indicates, have the following meaning:

- Tourism-Related Establishment - Any establishment or enterprise which is not licensed, nor directly supervised and regulated by the Department of Tourism but which caters incidentally to both foreign and local travelers and tourists.
- Motorist Hotel (Motel) - Any structure with several separate units, primarily located along the highway with individual or common parking space, at which motorists may obtain lodging and in some instances, meals.
- Pension - A private, or family-operated tourist boarding house, tourist guest house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourists and/or travelers, containing several independent lettable rooms, providing common facilities such as toilets, bathrooms/showers, living and dining rooms and/or kitchen and where a combination of board and lodging may be provided.
- Restaurant - Any establishment offering to the public refreshments and/or meals.
- Department Store - A store that sells or carries several lines of merchandise and that is organized into separate sections for the purpose of promotion, service, accounting, and control.
- Shop - A small retail establishment offering a specified line of goods or services.
- Association - An organization of persons/entities having the subject and promotion of tourism as a common interest.
- Hotel - Any lodging establishment as defined and classified in the Hotel Code of 1987.
- Department - The Department of Tourism.
- Accreditation - A certification issued by the Department that the holder is recognized by the Department as having complied with its minimum standards in the operation of the establishment concerned.

Chapter II

Basic Standard Requirements For Motels

SECTION 2. Minimum Basic Requirements - For the purpose of accreditation, the following are the minimum basic requirements that must be complied with by motels:

- Location - The motel, except those already existing, shall be located along or close to the highways or major transportation routes. It shall have at least ten (10) units.
- Garage - The motel shall have an individual garage or a common parking space for the vehicle of its guests.
- Bedroom - Each unit shall be provided with a fully air-conditioned bedroom, or at least, an electric fan and shall be furnished with comfortable bed/s, clean pillows, linen and bed sheets.
- Toilet and Bathroom - The unit shall be provided with attached toilet and bathroom with cold and hot water, clean towels, tissue paper and soap.
- Telephone - There shall be a telephone or call-bell in each unit.
- Staff and Service - The motel staff shall be trained, experienced, courteous and efficient. They shall wear clean uniform while on duty.
- Medical Service - Medical services on an emergency basis shall be made available.
- Fire-fighting Facilities - Adequate fire-fighting facilities shall be provided for each separate unit/building, in accordance with the Fire Code of the Philippines.
- Lighting - Lighting arrangement and fixtures in all units shall be adequate.
- Housekeeping: Efficient housekeeping shall be maintained.
- Maintenance: Efficient maintenance of the motel in all its sections (i.e. building ground, furniture, fixtures, public rooms, air-conditioning, etc.) shall be provided on a continuing basis.
- Other Facilities: The motel may, at its option, serve food and drinks exclusively to its guests, and install such other special facilities necessary for their business.
- Signboard: All motels shall keep and display in a conspicuous place outside the establishment a signboard showing clearly the name or style of the motel.

SECTION 3. Registry - All motels shall keep a Motel Registry Book. All guests seeking accommodation in the establishment shall be required to register the following particulars in the Registry Book:

- a. Full name
- b. Address
- c. Number, date and place of issue of Residence Certificate Class "A, or Driver's License, or Passport

The motel management is required to maintain a separate logbook of the plate number of the vehicles or cars used by its customers or guests in coming to or leaving the motels.

SECTION 4. Entry in the Motel Registration Book - The date prescribed in the preceding section shall be entered forthwith by the guests, or if unable to write, by the motel keeper or motel clerk.

SECTION 5. Minors to be Accompanied by Parent or Guardian - No motel shall accept for lodging or accommodation any person below 18 years of age unless accompanied by a parent or guardian.

SECTION 6. Departure of Guests - On the departure of the guests, the motel clerk shall record in the Registry Book the date and hour of their departure.

SECTION 7. Room Rates - In addition to daily rates, motels may likewise impose wash-up rates.

No guest who desires to be accommodated on a daily rate basis shall be refused.

The rental rates shall be posted primarily at the reception counter and/or at the door of each room.

Chapter III

Basic Standard Requirements for Pensions

SECTION 8. Minimum Basic Requirements - For purposes of accreditation, the following are the basic requirements for the establishment, operation and maintenance of a pension.

- Size: A pension shall have at least five (5) lettable rooms.

- Bedrooms: The bedrooms shall be provided with sufficient number of comfortable beds commensurate with the size of the room.

Each room shall have adequate natural as well as artificial light and ventilation. It shall be provided with at least an electric fan, writing table, a closet, a water jug with glasses proportionate to the number of beds in the room.

Rooms shall be clean and presentable and reasonably furnished to depict the true atmosphere of a Filipino home.

- Common Toilet and Bathroom: The establishment shall provide a toilet and bathroom to be used in common by the guests. There shall be at least one (1) toilet and one (1) bathroom/ shower for every five (5) occupants in all lettable rooms.

- Linen: There shall be adequate supply of clean linen and towels. Soap and tissue paper shall be provided at all times.

- Living Room: There shall be a reasonably furnished lounge or living room area commensurate to the size of the pension where guests may receive visitors or watch TV or read.

- Dining Room: The pension, shall have a dining room which shall be available for the common use of its guests.

Chapter IV

Basic Standard Requirements For Restaurants

SECTION 9. Minimum Basic Requirements - For the purpose of accreditation, the following are the minimum basic requirements that must be complied with by restaurants:

a. Location:

a.1. The locality and environs including approaches shall be pleasant and provided with proper ingress and egress.

a.2. The facade and architectural features of the building shall be appropriately designed.

b. Parking: There shall be an adequate, secured parking space provided free to customers.

c. Reception : A receptionist shall be available to usher in guests. Awaiting lounge with a telephone shall also be provided.

d. Dining Room:

d.1. Furnishing - The dining room shall be adequate in size, with sufficient and well-maintained furniture. Flooring materials shall be kept clean at all times.

d.2. Atmosphere -The restaurant shall have a pleasant atmosphere.

d.3. Cuisine - There shall be cuisine of good quality and presentation which may be of special interest to tourists available during normal meal hours and served with distinction. Raw food used shall meet minimum government and international standards of grading and quality.

d.4. Menu Book/Card - There shall be a menu book or card which shall be presentable, clean and easy to read with the menu items listed in logical sequence. All items shall be made available at all times on a best-effort basis.

d.5. Linen -All tables shall have clean table cloth and cloth napkins of good quality. They should not be faded, nor with frayed edges and stains and should be changed after every service.

d.6. Crockery-No piece of crockery, cullery and tableware in use shall be chipped, cracked or grazed. The silverware shall be kept polished and clean at all times.

e. Service and Staff: Adequate number of well-trained, well-groomed, experienced, efficient and courteous staff shall be employed.

f. Bar: The bar shall be well-stocked at all times.

g. Comfort Rooms: All comfort rooms shall be of good quality fixtures and fittings and provided with running water. The floor and walls shall be covered with impervious materials of good quality workmanship and shall be kept clean and sanitary at all times. Tissue paper, soap, paper towels and/or hand drier shall be provided.

h. Kitchen

h. 1. The kitchen, pantry and cold storage shall be in good operating condition at all times and shall be well-equipped and hygienic.

h.2. Equipment necessary to maintain a high standard of sanitation and hygiene shall be installed and used.

i. Lighting: Adequate lighting arrangement and fixtures shall be installed in the dining rooms, public rooms, comfort rooms, corridors and the other public areas.

j. Airconditioning/Ventilation: All main dining or function rooms shall be fully airconditioned and/or well-ventilated.

k. All sections of the restaurant (e.g., building, exterior, interior, aircondition, kitchen, fixtures, plumbing, etc.) shall be maintained properly at all times. A periodic vermin control program shall be maintained for all establishments.

l. Fire-fighting Facilities: Adequate fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

Chapter V

Basic Standard Requirements For Shops/Department Stores

SECTION 10.; Minimum Basic Requirements - For the purpose of accreditation, the following are minimum basic requirements that shall be complied with by shops/department stores:

a. Physical Requirements -

- a.1. The establishment shall be fronting a major street or thoroughfare or is situated in a shopping center/mall.
- a.2. The entrance and display windows shall be attractively designed and adequately illuminated.
- a.3. The furniture and decor of the establishment shall be presentable and functional at all times.
- a.4. "The shop shall be fully- airconditioned.
- a.5. Well-maintained restrooms shall be provided for by the establishment itself, or in the event that the shop is located in a shopping mall or commercial building, the common/public restrooms, shall be made available to the clients or visitors.
- a.6 In case of department stores:
 - a. 6.1. The store shall be in an edifice or a building or maybe part of a shopping mall/ center.
 - a.6.2. Parking area shall be made available to clients.
 - a. 6.3. There shall be appropriate directional signs.

b. Staff

- b.1. All members of the staff shall be well-groomed, courteous and efficient at all times.

c. Service

- c.1. Goods displayed in the shop window or show cases shall be provided with clearly written price tags.
- c.2. A wide selection of goods shall be in stock.
- c.3. A receipt shall be supplied to the tourists for each purchase. The full name and address of the establishment shall be printed on the receipt, together with the number of the authorized business license. Purchase shall be itemized together with the price, and any addition or tax paid or discount granted on the goods shall be indicated.
- c.4. Discounts shall be given on the price of the goods marked on the price tags.
- c.5. The business shall be responsible for the maintenance of its facilities and premises and its immediate surroundings (sidewalk, yard, etc.)
- c.6. In case of antique shops, a certificate confirming authenticity shall be attached to each article in accordance with the guidelines/instructions of the National Museum.

Chapter VI

Basic Standard Requirements For Associations

SECTION 11. Minimum Basic Requirements - For the purpose of accreditation, the following are the minimum basic requirements that must be complied with by an association:

- a. All its members shall be duly licensed or accredited by the Department.
- b. The Association shall be duly registered with the Securities and Exchange Commission.
- c. There shall be a Code of Ethics already formulated by the applicant governing the conduct of its members in their dealings with one another and the conduct to be observed by the staff or employees towards each other and/or their guests or clients; Provided, that, in case of conflict between any provision of these Rules and said Code of Ethics, the former shall prevail.

Chapter VII

Application For Accreditation

SECTION 12. Filing of Application - Any person, partnership, corporation or other entity desiring to secure an accreditation from the Department shall accomplish in duplicate and file with the Department, the application prescribed for such purpose.

SECTION 13. Supporting Documents to be Submitted with Application - Unless otherwise indicated in the form, the application shall be accompanied by two copies of the following documents:

- 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, and Business Name Certificate; in case of single proprietorship. Business Name Certificate and amendments thereof, if any.
- b. Applicant's latest income tax return and audited financial statements sheets for the preceding year of its operation (not applicable for new establishments).
- c. List of the names of all officials and employees and their respective designations, nationalities, home addresses; for alien personnel — valid visa from Commission on Immigration and Deportation and the proper permit from the Department of Labor and Employment.

SECTION 14. Creation of Committee of Two Officials - After the application form has been filed, the Department shall create an inspection committee composed of two (2) members from the Department.

SECTION 15. Ocular Inspection of Establishment and its Immediate Premises - Upon receipt of its mission order, the inspection committee shall conduct an ocular inspection of the establishment and its Immediate premises for the purpose of determining whether it meets the standards set by the Department for the establishment.

SECTION 16. Checklist to be Accomplished during Ocular Inspection of Establishment - The committee shall provide itself with a set of checklist of the requirements for the establishment. All deficiencies found, as well as the requirements complied with shall be noted in the checklist.

SECTION 17. All Observations of the Applicant shall be Entered in the Checklist - Any observation of the applicant or his duly authorized representative present at the time of the inspection on any adverse finding of the committee shall be entered in the checklist. The applicant shall then be furnished with a copy of the accomplished checklist.

SECTION 18. Report of the Committee - Within five (5) days from the date of the inspection of the establishment and its immediate premises, the committee shall render a report of its findings and/or recommendations.

SECTION 19. Issuance of Certificate of Accreditation - If the applicant has satisfactorily complied with the minimum prescribed requirements, the Department shall then issue the Certificate of Accreditation in favor of the applicant.

SECTION 20. Validity of Certificate of Accreditation - The Certificate of Accreditation shall be good and valid for a period of one (1) year from the date of issue, unless sooner revoked or cancelled by the Department.

SECTION 21. Accreditation Fees - An annual fee of Two Hundred (P200.00) Pesos shall be collected from applicants that have complied with the requirements for accreditation.

SECTION 22. Renewal of Accreditation - The accreditation shall be renewed on or before its date of expiration.

SECTION 23. Documents Required for Application for Renewal of Accreditation - The application for the

renewal of accreditation shall be supported by the following documents:

- a. A copy of the amended or revised articles of incorporation or articles of partnership and by-laws, if applicable;
- b. The list and information sheets of additional personnel, if any, including any change in the manpower complement of the company; and
- c. Audited financial statements and income tax return covering the preceding year's operation; Provided, that if this requirement is not available at the time of renewal, the same shall be submitted not later than April 30 of the current year.

Chapter VIII

Supervision of Accredited Establishments

SECTION 24. Display of Certificate of Accreditation - The certificate of accreditation shall be displayed in a conspicuous place of the establishment.

SECTION 25. Non-Transferability of Certificate of Accreditation - The Accreditation shall be non-transferable.

SECTION 26. Periodic Inspection - When necessary or when public good dictates, the Department may send an inspection team to the establishment for the purpose of finding out whether they are being kept and /or managed in a manner conformable to the standards set by the Department. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to the right to privacy of parties concerned.

SECTION 27. Dejects and Deficiencies Found During the Inspection - Where certain defects and deficiencies have been found in the courses of the inspection, the Department shall give direction to the keeper, manager or operator to rectify the defects or deficiencies within a reasonable period of time.

SECTION 28. Penalty for Failure to Remedy the Defects, etc. - If the management fails to remedy the defects or deficiencies, the Department, may revoke the Certificate of Accreditation of the establishment.

SECTION 29. Gambling and Disorderly Conduct - Keepers, managers or operators shall exert all efforts not to allow gambling of any form, drunkenness, or disorderly conduct of any kind by anyone in the establishment and its immediate premises.

SECTION 30. Prostitution and Other Immoral/Illegal Activities - Pension/Motel keepers, managers or operators shall exert all possible efforts not to permit any person whom they know or have reason to believe to be either a prostitute, a pedophile or a bad character to occupy a room or to enter the premises. To accomplish this end, they shall immediately report to the nearest police, station the presence of any such person in the premises.

SECTION 31. Liability of Keepers /Managers for Acts or Omissions of its Employees - Without prejudice to the provisions of existing laws, keepers/managers and their assistants shall administratively be liable for the acts or omissions of any member of the staff committed against any guest/tenant. 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 erring employee.

Chapter IX

Miscellaneous Provisions

SECTION 32. Separability Clause - The provisions of these Rules are hereby declared separable, and in the event that anyone or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.

SECTION 33. Repealing Clause - All existing Rules and Regulations or Circulars issued by the defunct Board of Travel and Tourist Industry or previously issued by the Department of Tourism on the operations of tourism-related establishments subject of these Rules as well as local ordinances which are inconsistent with the provisions of these Rules and Regulations are hereby repealed and super- seded accordingly.

SECTION 34. Effectivity - These Rules and Regulations shall take effect fifteen (15) days after their publication in the Official Gazette or in a newspaper of general circulation in the Philippines.

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(SGD.) JOSE ANTONIO U. GONZALEZ

Secretary

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