

HOTEL CODE OF 1987

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Pursuant to the authority vested in the Department of Tourism by Executive Order No. 120 under Section 5 (g) "To promulgate rules and regulations governing the operation and activities of all persons, firms, entities and establishments that cater to tourists. To provide standards for accreditation of hotels, resorts and tourist-oriented facilities for classification purposes, and to prescribe rules and regulations governing the issuance of licenses to travel agencies." 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 business and operation of all hotel in the Philippines.

CHAPTER I

Concept, Definition and Classification of Hotels

SECTION 1. Concept of a Hotel Code — This code shall be known as the "PHILIPPINE HOTEL CODE OF 1987." It embodies all implementing rules and regulations governing the business and operation of all hotels as defined herein. Failure to comply with such requirements shall subject the establishment to certain sanction and penalties.

SECTION 2. Definition of a Hotel — As used in this code, "HOTEL" means the building, edifice or premises or a completely independent part thereof, which is used for the regular reception. Accommodation or lodging of travellers and tourists and the provision of services incidental thereto for a fee.

SECTION 3. Classification of Hotel — For purposes of registration and licensing, hotels are hereby classified into the following categories namely:

- a. De Luxe Class
- b. First Class
- c. Standard Class
- d. Economy Class

CHAPTER II

Standards for Each Class of Hotel

SECTION 4. Requirements for a De Luxe Class Hotel — The following are the minimum requirements for the establishment operation and maintenance of a De Luxe Class Hotel:

- Location

- a. The locality and environs including approaches should be suitable for a luxury hotel of international standard.
- b. The facade, architectural features and general construction of the building should have the distinctive qualities of a luxury hotel.

- Bedroom facilities and furnishings

Size: All single and double rooms should have a floor area of not less than 25 square meters, inclusive of bathrooms.

Suite — There should be one suite per 30 guest rooms.

Bathrooms — All rooms must have bathrooms which should be equipped with fittings of the highest quality befitting a luxury hotel with 24-hour service of hot and cold running water.

b. Bathroom must be provided with bathtubs and showers.

c. Floors and walls should be covered with impervious material of elegant design and high quality workmanship.

Telephones — There should be a telephone in each guest room and an extension line in the bathroom of each suite.

Radio/Television — There should be a radio, a television and relayed or piped-in music in each guest rooms.

Cold Drinking Water — There should be a cold drinking water and glasses in each bedroom.

Refrigerator/Mini-Bar — There should be a small refrigerator and a well-stocked bar in each guest room.

Room Service — There should be a 24-hour room service (including provisions for snacks and light refreshments).

Furnishing and Lighting:

a. All guest rooms should have adequate furniture of the highest standard and elegant design; floors should have superior quality wall-to-wall carpeting; walls should be well-furnished with well-tailored draperies of rich materials.

b. Lighting arrangements and fixtures in the rooms and bathrooms should be so designed as to ensure aesthetic as well as functional excellence.

Information Materials — Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel, fire exit guidelines, house rules for guests, including food and beverage outlets and hours of operation.

- Front Office/Reception

There should be reception, information counter and guest relations office providing a 24-hour service and attended by highly qualified, trained and experienced staff.

Lounge— There should be a well-appointed lounge with seating facilities the size of which is commensurate with the size of the hotel.

Porter Service — There should be a 24-hour porter service.

Foreign Exchange Counter — There should be a duly licensed and authorized foreign exchange counter.

Mailing Facilities — Mailing facilities including sale of stamps and envelopes be available in the premises.

Long Distance/Overseas Calls — Long distance and overseas telephone should be available in the establishment.

Reception Amenities — There should be left-luggage room and safe deposit boxes in the establishment.

Telex Facilities — There should be telex-transceiver facilities in the establishment.

- Housekeeping

Housekeeping should be of the highest possible standard.

Linen — There should be plentiful supply of all linen/blankets/towels, etc. which should be of the highest quality available and should be spotlessly clean. The linen and towels should be changed everyday.

Laundry/Dry Cleaning Service — Laundry and dry cleaning services should be available in the establishment.

Carpeting — All public and private rooms should have superior quality which should be well kept at all times.

- Food and Beverage

Dining Room — There should be a coffee shop and at least one specialty dining room which are well-equipped, well-furnished and well-maintained, serving high quality cuisine and providing entertainment.

Bar — Wherever permissible by law, there should be an elegant and well-stocked bar with an atmosphere of comfort and luxury.

Kitchen

a. The kitchen, pantry and cold storage should be professionally designed to ensure efficiency of operation and should be well-equipped, well-maintained, clean and hygienic.

b. The kitchen should have an adequate floor area with non-slip flooring and tiled walls and adequate light and ventilation.

Crockery

a. The crockery should be of elegant design and of superior quality.

b. There should be ample supply of it.

c. No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well plated and polished at all times.

- Recreational facilities

Swimming Pool: — There must be a well-designed and properly equipped swimming pool.

Tennis/Golf/Squash/Gym Facilities — There should be at least one recreational facility or tie-up with one within the vicinity of the hotel.

- Entertainment

Live entertainment should be provided.

- Engineering and maintenance

Maintenance — Maintenance of all sections of the hotel (i.e., Building, Furniture, Fixtures, etc.) should be of superior standard.

Airconditioning — There should be centralized air-conditioning for entire building (except in areas which are at a minimum of 3000 ft. above sea level).

Ventilation — There should be technologically advanced, efficient and adequate ventilation in all areas of the hotel.

Lighting — There should be adequate lighting in all public and private rooms.

Emergency Power — There should be a high-powered generator capable of providing sufficient lighting for all

guest rooms, hallways, public areas/rooms, operating elevators, food refrigeration and water services.

Fire Prevention Facilities — The fire prevention facilities must conform with the requirements of the Fire Code of the Philippines.

- General facilities

Outdoor area — The hotel premises must have a common outdoor area for guests (examples; a roof garden or a spacious common terraces).

Parking/Valet — There should be an adequate parking space and valet service.

Function/Conference facilities — There should be one or more of each of the following: conference rooms, banquet halls (with a capacity of not less than 200 people seated) and private dining rooms.

Shops — There should be a barber shop, recognized travel agency/tour counter, beauty parlour, and sundries shop.

Security — Adequate security on a 24-hour basis must be provided on all entrances and exits of the hotel premises.

Medical service — A medical clinic to service guests and employees should have a registered nurse on a 24-hour basis and a doctor on call.

- Service and Staff

a. Professionally qualified, highly trained, experienced, efficient and courteous staff should be employed.

b. The staff should be in a smart and clean uniforms.

- Special facilities

Business center, limousine service and airport transfers should be provided.

- Insurance coverage

There should be an adequate insurance against accident for all guests.

SECTION 5. Requirements for a First Class Hotel — The following are the minimum requirements for the establishment, operation and maintenance of a first class hotel.

- Location

a. The location and environs including approaches should be such as can be considered suitable for a first class hotel of international standard.

b. The facade, architectural features and general construction of the building should have the distinctive qualities of first class hotel.

- Bedroom facilities and furnishings

Size — All single and double rooms should have a floor area of not less than 25 square meters, inclusive of bathrooms.

Suite: — There should be one suite per 40 guest rooms.

Bathrooms —

a. All rooms must have bathrooms which should be equipped with fittings of highest quality befitting a first class hotel with a 24-hour service of hot and cold running water.

b. Bathrooms must be provided with showers and/or bathtubs.

c. Floors and walls should be covered with impervious material of aesthetic design and high quality workmanship.

Telephones — There should be a telephone in each guest room.

Radio/Television — There should be a radio, television and relayed or piped-in music in each guest room.

Cold drinking water — There should be cold drinking water and glasses in each bed-room.

Room service — There should be a 24-hour room service (including provisions for snacks and light refreshments).

Furnishing and Lighting

a. All guests rooms should have adequate furniture of very high standard and very good design; floors should have wall-to-wall carpeting; or if the flooring is of high quality (marble, mosaic, etc.) carpets should be provided and must be of size proportionate to the size of the room; walls should be well-furnished with well-tailored draperies of very high quality material.

b. Lighting arrangements and fixtures in the rooms and bathrooms should be so designed as to ensure functional excellence.

Information Materials — Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel. Fire exit guidelines, house rules for guests, including food and beverage outlets and hour of operation.

- Front Office/Reception

There should be a reception and information counter providing a 24-hour service and staffed by trained and experienced personnel.

Lounge — There should be a lobby and well-appointed lounge with seating facilities the size of which is commensurate with the size of the hotel.

Porter Service — There should be a 24-hour porter service.

Foreign Exchange Counter — There should be a duly licensed and authorized foreign exchange counter.

Mailing Facilities — Mailing facilities including sale of stamps and envelopes should be available in the premises.

Long Distance/Overseas Calls — Long Distance and overseas telephones should be available in the establishment.

Reception Amenities — There should be left-luggage room and safe deposit boxes in the establishment.

Telex Facilities: There should be available telex-transceiver facilities in the establishment.

- Housekeeping should be of high standard.

Linen — There should be a good supply of all linen/blanket/towels etc. which should be of high quality and should be spotlessly clean. Bed linen and towels should be changed daily.

Laundry/Dry Cleaning Services — should be available in the establishment.

Carpeting — All public and private rooms should have high quality carpeting which should be well kept at all times.

- Food and Beverage

Dining Room: — There should be a coffee shop and at least one specialty dining room which are well-equipped, well-furnished and well-maintained serving good quality cuisine and providing entertainment.

Bar — Wherever Permissible by law. There should be an elegant and well-stocked bar with an atmosphere of comfort.

Kitchen

a. The kitchen, pantry and cold storage should be professionally designed to ensure efficiency of operation and should be well-equipped, well-maintained, clean and hygienic.

b. The kitchen should have an adequate floor area with non-slip flooring and tiled walls and adequate light and ventilation.

Crockery

a. The crockery should be of best quality.

b. There should be adequate supply of it.

c. No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well-plated and polished at all times.

- Recreational facilities

Swimming Pool — There must be a well-designed and properly equipped swimming pool.

Tennis/Golf/Squash/Gym Facilities — There should be at least one Recreational Facility or Tie-up with one within the vicinity of the Hotel.

- Entertainment — Live entertainment should be provided.

- Engineering and Maintenance

Maintenance — Maintenance of all sections of the hotel (i.e. building, furniture, fixtures, etc.) should be of very high quality.

Airconditioning — All private and public rooms should be airconditioned (except in areas which are at a minimum of 3000 feet above sea level).

Ventilation — There should be technologically advanced, efficient and adequate ventilation in all areas of the Hotel.

Lighting — There should be adequate lighting in all public and private rooms.

Emergency Power — There should be a High-Powered Generator capable of providing sufficient lighting for all guest rooms, hallways, public areas rooms, operating elevators, food refrigeration and water services.

Fire Prevention Facilities — The fire prevention facilities must conform with the requirements of the Fire Code of the Philippines.

- General facilities

Parking/Valet — There should be an adequate parking space and valet service.

Function/Conference Facilities — There should be special rooms for conference/banquet purposes.

Shops — There should be a recognized travel agency/tour counter, barber shop, beauty parlour and sundries shop.

Security — Adequate security on a 24-hour basis must be provided on all entrances and exits of the Hotel premises.

Medical Service — A medical clinic to service guests, and employees with a registered nurse on a 24-hour basis and a doctor on call should be provided.

- Service and Staff

a. Highly qualified, trained, experienced, efficient and courteous staff should be hired.

b. The staff should be in smart and clean uniforms.

- Special facilities. Facilities for Airport Transfers should be provided.

- Insurance coverage. There should be an adequate insurance against accident for all guests.

SECTION 6. Requirements for a Standard Class Hotel — The following are the minimum requirements for the establishment, operation and maintenance of a Standard Class Hotel.

- Location

a. The Locality and Environs including approaches should be such as can be considered suitable for a very good Hotel.

b. The architectural features and general construction of the building should be of very good standard.

- Bedrooms facilities and furnishings

Size: All single and double rooms should have a floor area of not less than 18 square meters. Inclusive of bathroom.

Bathrooms — All rooms must have bathrooms which should be equipped with showers and fittings of good standard with cold running water on a 24-hour basis and hot running water at selected hours.

Telephones — There should be telephone in each guest room.

Cold Drinking Water — There should be cold drinking water and glasses in each bedroom.

Room Service — Room Service should be provided at selected hours.

Furnishing and Lighting

a. All guest rooms should have furniture of very good standard and design; floors should have good quality carpets; wall should be well-finished and drapes should be well-tailored and of good material.

b. Lighting arrangements and fixtures in the rooms and bathrooms should be well designed ensuring complete satisfaction functionally.

Information Materials — Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel. Fire exit guidelines, house rules for guest, including food and beverage outlets and hours of operation.

- Front Office/Reception — There should be a reception information counter/providing a 24-hour service and attended by qualified and experienced staff.

Lounge — There should be a well-appointed lounge the size of which shall commensurate with the size of the hotel.

Porter Service — Porter service shall be upon request.

Foreign Exchange Counter — There should be a duly licensed and authorized foreign exchange counter.

Mailing Facilities including sale of stamps and envelopes should be available in the premises.

Long Distance/Overseas Calls: should be made available upon request.

Reception Amenities — There should be left-luggage room and safety deposit boxes.

Telex Facilities — Telex facilities shall be optional.

- Housekeeping should be of good standard.

Linen — There should be adequate supply of linen/blanket/towels, etc. of good quality which should be kept clean. Linen and Towels should be changed daily.

Laundry/Dry Cleaning Service — Laundry and dry cleaning services should be available by arrangement.

Carpeting — There should be carpets in all bedrooms and the floors of public rooms should be properly covered unless the flooring is of very high standard.

- Food and Beverage

Dining Room — There should be at least one dining room facility which is well-equipped and well-maintained and serving good quality cuisine and providing entertainment.

Bar — Wherever Permissible by Law, there should be a bar.

Kitchen

a. The kitchen, pantry and cold storage should be professionally designed to ensure efficiency of operation and should be well-equipped, well-maintained, clean and hygienic.

b. The kitchen should have an adequate area with flooring and tiled walls and adequate light and ventilation.

Crockery:

a. The crockery should be of good quality.

b. No piece of crockery in use should be chipped, cracked or grazed. The silverware should be kept well-plated and polished at all times.

- Engineering and Maintenance

Maintenance — Maintenance of the hotel in all sections (i.e. building, furniture, fixtures, etc.) should be of good standard.

Airconditioning — At least 75% of the rooms should be airconditioned (except in areas which are at a minimum of 3000 ft. above sea level).

Ventilation — There should be efficient and adequate ventilation in all rooms.

Lighting — There should be adequate lighting in all public and private rooms.

Emergency Power — There should be a high-powered generator capable of providing sufficient lighting for all guest rooms, hallways, public areas/rooms, operating elevators, food refrigeration and water services.

Fire Prevention facilities: must conform with the requirements of the Fire Code of the Philippines.

- General facilities

Parking — There should be adequate parking space.

Shops — There should be sundries shop.

Security — Adequate security on a 24-hour basis must be provided on all entrances and exits of the Hotel premises.

Medical service: There must be a Registered Nurse on a 24-hour duty and a Doctor on Call.

- Service and Staff

a. Only qualified, trained, experienced, efficient and courteous staff should be employed.

b. The staff should be in clean uniforms.

- Special facilities — Facilities for Airport Transfer should be provided.

- Insurance coverage — There should be an adequate insurance against accident for all guests.

SECTION 7. Requirements for an Economy Class Hotel — The following are the minimum requirements for the establishment, operation and maintenance of an Economy Class Hotel:

- Location

a. The locality and environs including approaches should be such as are suitable for a good Hotel.

b. The building should be well constructed and in the case of a new building, it should be designed by a competent architect.

- Bedroom facilities and furnishings

Size — All single and double rooms should have a floor area of not less than 18 square meters. Inclusive of bathroom.

Bathrooms — All rooms must have bathrooms which should be equipped with showers and basic fittings of modern sanitation with cold running water on a 24-hour basis and hot running water at selected hours.

Telephones — There should be a call bell in each guest room.

Cold Drinking Water — There should be cold drinking water and glasses in each bedroom.

Room Service — Room service should be provided at selected hours.

Furnishing and Lighting

a. All guest rooms should have the basic furnitures of good design; floors should be well finished.

b. Lighting arrangements and fixtures in all rooms and bathrooms should be of good standard.

Information materials — Room tariffs shall be prominently displayed in each bedroom plus prominent notices for services offered by the hotel. Fire exit guidelines, house rules for guest, including food and beverage outlets and hours of operation.

- Front office/Reception

Reception and Information Counter — There should be a reception and information counter providing a 24-hour

service equipped with telephone.

Lounge — There should be a reasonably furnished lounge commensurate with the size of the hotel.

Porter service — Porter service shall be upon request.

Mailing facilities — There should be mailing facilities.

Long Distance/Overseas calls should be made available upon request.

Reception amenities — There should be left-luggage room and safe deposit boxes.

Telex facilities shall be optional.

- Housekeeping — Premises should be kept clean and tidy.

Linen — Clean, good quality linen/blankets/towels, etc. should be supplied and changed daily.

Laundry/Dry Cleaning services should be available by arrangement.

- Food and Beverage

Dining Room — There should be at least one equipped and maintained dining room/restaurant serving good, clean wholesome food.

Kitchen

a. There should be a clean, hygienic, and maintained kitchen and pantry.

b. The kitchen should have an adequate floor area with non-slip flooring and tiled walls and adequate light and ventilation.

Crockery — The crockery should be of good quality.

- Engineering and maintenance

Maintenance — Maintenance of the hotel in all sections (i.e., building, furniture, fixtures, etc.) should be of good standard.

Airconditioning — At least 50% of the rooms should be airconditioned (except in areas which are at a minimum of 3000 feet above sea level).

Ventilation — There should be a spare generator ventilation in all rooms.

Lighting — There should be adequate lighting in all public and private rooms.

Emergency power — There should be a spare generator available to provide light and power in emergency cases.

Fire Prevention — The fire prevention facilities must conform with the requirements of the Fire Code of the Philippines.

- General facilities

Shops — There should be a sundries counter.

Security — Adequate security on a 24-hour basis must be provided on all entrances and exits of the hotel premises.

Medical service — The services of a doctor must available when needed.

- Service and staff
 - a. The staff should be well-trained, experienced, courteous and efficient.
 - b. The staff should be in clean uniforms.
- Special facilities — Airport transfers should be provided upon request.
- Insurance coverage — There should be an adequate insurance against accidents for all guest.

CHAPTER III

Registration and Licensing of Hotels, etc.

SECTION 8. Application for Registration and License — Any person, partnership, corporation and other entity desiring to keep, manage or operate any building, edifice, premises or an independent part thereof, for the purpose of a hotel shall accomplish in quadruplicate and file with the office of the Undersecretary for Tourism Services of the Department of Tourism the application form for registration and licensing prescribed for the purpose.

SECTION 9. Application executed under oath — Where the application is made by a body corporate, partnership, association or other entity, it shall be signed by the person duly authorized to act for and in behalf of the applicant.

SECTION 10. Defective Applications — Failure of the applicant to properly accomplish the application form shall be sufficient ground for its disapproval.

SECTION 11. Supporting Documents to be Submitted with the Application — Unless otherwise indicated in the form, the application shall be accompanied by four copies of the following documents:

- a. In the case of a corporation, partnership, single proprietorship, or other entity, a certified copy of its articles of incorporation and by-laws, constitution and by-laws, articles of partnership or association, or registration of business name and amendments thereof, duly registered with the Securities and Exchange Commission or other registering government agency, as the case may be;
- b. Resolution of the Board of Directors of the Corporation, association or other entity authorizing the filing of the application and designating its representative authorized to act for and in its behalf;
- c. In the case of a corporation, association or other entity, list of directors and other principal officers and their respective nationalities. If any director or officer is a naturalized Philippine citizen, such fact should be stated, accompanied by a copy of his certificate of naturalization or citizenship;
- d. List of its proprietor, principal owners, major partners, major stockholders, or controlling members, their nationalities, capital contribution, stock or participation; in case of a corporation, such list must indicate the quantity, par 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 outstanding 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. Audited financial statements of the applicant, viz: Profit and loss statement and balance sheets for the two preceding years, if applicant has been in operation for such period; otherwise, only such financial statements during the period it has been operating;
- f. Applicant's income tax returns for last three preceding years of its operation, if the applicant has been operating for more than three years; otherwise, only the income tax returns, if any during the period it has been operating;
- g. 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 designations, nationalities, home address and accompanied by a passport size photo of each of them;

h. Joint venture and/or technological assistance agreements, if any, existing or proposed and about to be entered into with foreign nationals;

i. Such other papers or documents as may be required by pertinent laws, rules and regulations and circulars.

SECTION 12. Application Entry Book — The licensing section of the Office of the Undersecretary concerned shall provide itself with a well-bound application entry book in which shall be entered in chronological order the names of the hotels applying for registration and license and the corresponding filing date and hour or their application.

SECTION 13. Objection to Application for Registration and Licensing of Premises — Any person may file a written objection to the issuance of a certificate of registration and license to an applicant. The objection shall state the facts upon which it is based and shall be sworn to before a person authorized to administer oath.

SECTION 14. Objection Referred to Applicant for Comment — Upon receipt of the Objection to the Issuance of a Certificate of registration and license to an applicant, the Department shall forthwith send copy to the applicant for his comment.

SECTION 15. Creation of a Committee or Team to Inspect the Hotel — If the application form has been duly accomplished by the applicant, the undersecretary concerned shall createan inspection committee or team— the official membership of which shall be composed of:

- a. One representative from the DOT
- b. One representative from the Department of Health
- c. One representative from the local, city or municipal government
- d. One representative designated by the hotel and restaurant association of the Philippines (HRAP)

The local government representative shall look into the compliance by the establishment with the relevant local ordinances, the Building Code and the Fire Code while the Department of Health shall concern itself with the sanitation and hygiene requirements. The Team shall be headed by the representative from the DOT.

SECTION 16. Ocular Inspection of the Hotel and Its Immediate Premises — Upon receipt of its assignment, the inspection committee or team shall conduct an ocular inspection of the hotel and its immediate premises for the purpose of determining under what class the hotel shall fall.

SECTION 17. Checklist of Requirements — The department shall, with the cooperation of the hotel owners, managers or operators, design and prescribe a form for a checklist of the requirements for each class of hotel. The said checklist shall be in triplicate.

SECTION 18. Checklist to be accomplished during ocular Inspection of the Hotel — The committee or team shall provide itself with a set of the checklist. All the deficiencies found as well as the requirements complied shall be noted in the checklist.

SECTION 19. 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.

SECTION 20. Triplicate Copy of Accomplished Checklist to be given to Applicant — At the close of the

inspection, the committee and the applicant or his/its representative present at the time of the inspection shall sign all copies of the checklist; thereafter the committee shall deliver to the applicant or his/its representative the triplicate copy thereof.

SECTION 21. Report of the Committee or Team — Within five (5) days from the date of the inspection of the hotel building, edifice and its immediate premises, the committee or team shall render a report of its findings and/or recommendations to the undersecretary concerned. A copy of the report of the committee shall be furnished the applicant. Within three (3) days from receipt of a copy of the report of the committee, the applicant may submit a comment thereon, specifying in detail the portion(s) of the report to which he/it is objecting to. The comment of the applicant shall be coursed to the undersecretary concerned.

SECTION 22. Comment and Recommendation of the Undersecretary for Tourism Services — Within fifteen (15) days from receipt of the comment of the applicant, the undersecretary concerned shall submit his recommendation of the case to the Secretary of Tourism for his decision.

SECTION 23. Decision of the Secretary — The Secretary shall decide the case within thirty (30) days from receipt of recommendation in such a manner that the applicant can know the various issues involved and the reasons for the decision rendered.

SECTION 24. Conditions to be Satisfied to Merit issuance of Certificate of Registration and License — No certificate of registration and license as a hotel or any building, edifice or premises, or a completely independent part thereof, shall be granted unless it has passed all the conditions of the Hotel Code, the Fire and Building Codes and other municipal ordinances.

SECTION 25. Decision of the Undersecretary of Tourism — If in the opinion of the Undersecretary for Tourism Services that the applicant has satisfactorily complied with the requirements prescribed for the class of hotel for which registration and license are applied, the applicant shall be issued a certificate of registration of the building, edifice or premises, and a license to operate as a hotel upon his payment of the registration and license fees prescribed in these rules.

SECTION 26. License Subject to Conditions Imposed by the Department of Tourism — The license to be issued by the undersecretary concerned shall contain the conditions imposed by the Department of Tourism.

SECTION 27. Validity of Certificate of Registration and License — The Certificate of Registration of the hotel shall be applied with the department only once at the start of operation of the hotel . It should only be reapplied for if the hotel has ceased operations for at least six (6) months or if its license has been revoked for some reason or the other. The hotel shall only pay the registration fee once unless it has filed for a reapplication cited above.

The license to operate the hotel shall be good and valid for the period of one (1) year from the date of issue, to be renewed every year on or before the date of expiration thereof.

SECTION 28. Registration and License Fees — The following schedule of registration and license fees shall be collected from applicants who have complied with the requirements:

Registration
Fee

License
Fee

De Luxe Class

P11,000.00

P2,200.00

First Class

P8,800.00

P1.980.00

Standard Class

5,500.00

1,650.00

Economy Class

3,300.00

1,100.00

SECTION 29. Renewal Requirements — An application for renewal of license shall be made upon prescribed forms on or before the 15th day of December of each year.

SECTION 30. Penalty for Late Application — A surcharge of 50% of the license fees due shall be imposed upon an applicant who fails to file his/its application for renewal of the license of the hotel within the period fixed in these rules.

SECTION 31. Prohibition — No building, edifice or premises, or a completely independent part thereof shall be used as hotel without first being licensed by the Department. Any entity violating this provision shall be subject to a fine exceeding P50,000 or closure of business or both.

CHAPTER IV

Regulations, Control and Supervision of the Operation of Hotels

A. NON-TRANSFERABILITY OF CERTIFICATE OF REGISTRATION AND LICENSE, ETC.

SECTION 32. Transfer of Certificate of Registration and License — No hotel owner or operator shall transfer or alienate in any other manner the certificate of registration and license of the hotel without the prior approval of the Department of Tourism.

SECTION 33. Transfer of Ownership in Majority Interest in Outstanding Capital Stock of a Hotel — The Department of Tourism shall be notified of any transfer of ownership in a majority interest of the outstanding capital stock of a hotel.

SECTION 34. Transfer Fees — The transfer fee for the issuance of a new certificate of registration shall be the same amount fixed under Section 28 of these Rules for the class of hotel being transferred.

SECTION 35. Display of Certificate of Registration and License — The certificate of registration and license of the hotel shall be displayed in a conspicuous place in the public part of the hotel.

SECTION 36. Hotel Signboard — All hotels shall keep displayed in a conspicuous place outside the hotel a signboard showing clearly the name or style of the hotel.

B. HOTEL GUESTS, ETC.

SECTION 37. Hotel Guests to Register — No person shall occupy or be permitted to occupy a room in a hotel, unless his personal circumstance and other particulars have been entered in the hotel registry book or card.

SECTION 38. Entry of Particulars in Hotel Register or Card — Hotel keepers/managers operators or their assistants shall require every guests seeking accommodation in the hotel to, and every guest shall, furnish the following minimum particulars to be entered in the hotel register or card:

- a. His full name;
- b. Particulars of any identity card, passport or other travel documents issued to him;
- c. The place of his origin and his permanent, regular or known address there;
- d. The probable duration of his stay and his intended destination;
- e. His occupation and place of employment;
- f. His nationality; and
- g. The hour and date of his arrival.

SECTION 39. Time of Entry of Particulars — Before the guest is allowed to occupy a room in the hotel, the particulars prescribed in the preceding section shall be entered forthwith in the hotel register or card by such guest or, if he is not able to write, by the hotel keeper, manager or clerk; and in either case the entry shall be signed by the guest or, should he be unable to write, authenticated by his right thumb print; Provided, That in the case of group tours, the tour leader may accomplish such duty by attaching the list of the participants; Provided, Further, That in the case of families, only the head of the family shall be required to register.

SECTION 40. Visitor Invited by Hotel Guests Required to be Registered — Any visitor invited by a hotel guest to stay in his room shall register in a separate book for visitors, in which shall be entered the name, address and other particulars of the visitor.

SECTION 41. Entry of Date and Time of Departure — On the departure of the guest, the hotel keeper/manager/operator or his assistant shall record against the entry the hour and the date of this departure and, if known, his destination.

SECTION 42. False Entry in Hotel Registry Book or Card — No hotel manager/operator 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 or reasonable diligence, have ascertained to be false.

SECTION 43. Guest Suffering from Dangerous, Contagious and/or Infectious Disease — The hotel keeper, manager or operator shall immediately report to the nearest field office of the Department of Tourism any guest, tenant, or member of the hotel staff who is found to be suffering from a dangerous, contagious and/or infectious disease. There upon, he shall carry out all precautions and directions given by the physician of the Department of Health officer of the locality to prevent the spread of the disease.

SECTION 44. Death in the Hotel — The hotel keeper, manager or operator shall immediately report to the nearest police station the death of any person or one dying in the hotel. A copy of the report shall be transmitted forthwith to the Department of Tourism.

C. EMPLOYMENT OF HOTEL STAFF, ETC.

SECTION 45. Employment of Foreign Nationals — The employment of foreign nationals by a hotel shall be in accordance with the provisions of the Revised Joint Circular of 1987 among the Departments of Tourism, Labor and Employment and the Commission on Immigration and Deportation enunciating policy guidelines on the employment of foreign nationals in the hotel/resort industry.

SECTION 46. Training of Filipino Understudies — Hotels employing foreign nationals with supervisory, technical or advisory functions shall include in the contract of employment of such foreign nationals a provision for the training of at least two (2) Filipino understudies to whom each foreign national will impart his specialized skills.

SECTION 47. Submission of Program — The hotel management shall submit to the Department of Tourism within five (5) days from assumption of duties by the foreign nationals the program for training Filipinos in discharging the functions of foreign nationals by the hotel.

SECTION 48. Submission of Annual Reports — The hotel shall submit to the Department of Tourism an annual report on the progress of its training program of Filipino understudies by foreign nationals.

D. PERIOD INSPECTION OF THE HOTEL AND ITS IMMEDIATE PREMISES

SECTION 49. Periodic Inspection of Hotels — When necessary and upon valid reason, the Department of Tourism shall make inspection of hotels and their immediate premises 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 for the class in which they have been registered and licensed; or whether they are being kept in an unclean and unsanitary condition; or whether they are being conducted as a disorderly house. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to right to privacy of the hotel guests.

SECTION 50. Access of Inspectors to Records and Premises — The inspection team shall have access to the registry book or cards, the hotel building and all parts thereof, the facilities for cooking and the right to interview any employee of the hotel 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 51. Defects and Deficiencies Found During the Inspection — Where certain defects or deficiencies have been found in the courses of the inspection, the undersecretary concerned shall give directions to the hotel keeper, manager or operator to rectify the defects or deficiencies within a period of one (1) week from notice.

SECTION 52. Extension of the Period — The undersecretary concerned 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 one (1) month.

SECTION 53. Penalty for Failure to Remedy the Defects, etc. — If the hotel management fails to remedy the defects or deficiencies noted, the undersecretary concerned shall impose on the hotel a fine of seventy-five pesos (P75.00) for every day or delay in complying with his directions but in no case shall the fine exceed the sum of one thousand five hundred pesos (P1,500.00); provided, that where the minimum fine imposable under this section has been reached and the hotel management has continued to fail to rectify the defects or the deficiencies noted, the undersecretary concerned shall suspend the certificate of registration and license of the hotel for such

period as he thinks fit.

E. PROHIBITED ACTS

SECTION 54. Gambling and Disorderly Conduct — Hotel keepers, managers or operators shall exert all efforts not to allow prohibited gambling or any form, drunkenness, or disorderly conduct of any kind, in the hotel and its immediate premises.

SECTION 55. Prostitution and other Immoral/Illegal Activities — Hotel 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 in the hotel 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. RECLASSIFICATION OF HOTELS

SECTION 56. Promotion or Demotion of a Hotel — A hotel may be promoted or demoted from one class to another as the facts may warrant.

SECTION 57. Promotion of a Hotel to a Higher Class — Any hotel which has upgraded its facilities and services to, among others, comply with the requirements of a higher class hotel, may apply for promotion to such higher class of hotel. A team as described in Section 16 hereof shall evaluate the hotel's facilities and services, as upgraded and submit its recommendations to the Department of Tourism.

SECTION 58. Demotion of a Hotel to a Lower Class — Where after due investigation by the same inspection committee, it has been established that a hotel is not being kept or managed in a manner conformable to the standards set by the Department for a hotel of the class in which the hotel is registered and granted license, the undersecretary concerned shall give notice to the hotel keeper, manager or operator of such fact granting the hotel a period of time stated in the notice within which to comply with the standards set. If the hotel fails to comply within the period granted in the notice, the undersecretary concerned shall remove the registration of the hotel from the class and place it in a lower class.

SECTION 59. Appeal and Stay of Order of the Undersecretary — The hotel aggrieved by the demotion order may appeal to the Secretary of Tourism within five (5) days from notice of the order. A perfected appeal shall stay the order appealed from. The appellant, if he so desires, may submit within five (5) days from the perfection of his/its appeal a memorandum of agreement in support of the appeal.

SECTION 60. Decision of the Secretary of Tourism — The Secretary of Tourism, after a review of the records may revoke, modify or affirm the order of the undersecretary.

G. DISCIPLINE AND TRAINING OF HOTEL STAFF; CODE OF ETHICS AND CONDUCT

SECTION 61. Liability of Hotel Keepers/Managers for Acts or Omissions of Hotel Employees — Without prejudice to the provisions of existing laws, hotel keepers/managers and their assistants shall administratively be liable for the acts or omissions of any member of the hotel staff committed against any guest/tenant of the hotel. 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.

SECTION 62. Training Program for Hotel Staff — All hotels shall undertake to provide a staff training program designed to acquaint each member of the staff of his duties and responsibilities in the hotel, to the end that such member will know what is expected of such employee.

SECTION 63. Code of Ethics and/or Conduct — Hotel owners/keepers/managers and/or the hotel association, if any, shall formulate, with the assistance of the department, a code of ethics and/or conduct which shall govern the conduct of hotel owners/keepers/managers in their dealings with one another and the conduct to be observed by the hotel staff or employees towards each other and/or guests or tenants of the hotel. Such Code of Ethics and/or Conduct shall include the administrative penalties that may be imposed for their violation, such as fines, suspension or dismissal from the service, suspension or revocation of the license or the Certificate of Registration of the hotel and other related sanctions.

CHAPTER V

Complaints against Hotel and/or their Employees

SECTION 64. Quasi-Judicial Powers — The department shall exercise Quasi-Judicial Powers in the resolution of cases filed against hotels in accordance with the DOT's rules and procedures governing complaints.

CHAPTER VI

Miscellaneous Provisions

SECTION 65. Register of Property Left by Guests — A book in which shall be entered without delay the particulars of any property left in the hotel by any guest shall be kept in such language and form as the Department of Tourism may require.

SECTION 66. Submission of Reports and Other Documents — Every hotel enterprise shall submit to the Department of Tourism within the time herein specified four (4) copies of the following:

- a. Any amendment to the articles of incorporation and by-laws, articles of partnership or association, as the case may be, within five (5) days from the date of the registration of the amendment with the appropriate government agency;
- b. Replacement of any director or other principal officers of the corporation, partnership or association, with an indication of the nationality of each new officer, and accompanied by a copy of his certificate of citizenship, if a naturalized Filipino, within five (5) days after said replacement;
- c. Replacement/resignation/separation of the hotel keeper/manager, the assistant hotel keeper/manager, or any other member of the staff within two (2) days after such change;
- d. Any change in the personnel complement stating the respective designations, salaries (including other compensation), nationalities, home address, within five (5) days from such changes.

SECTION 67. Confidential Character of Certain Data — Information and documents received by or filed with the Department in pursuance of the requirements of these rules shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned or upon the order of the Secretary. Any official or employee of the department including those that are temporarily assigned therewith who shall violate the provisions of this section shall be guilty of an offense under these rules.

SECTION 68. Means to Carry into Effect the Purposes, Intent and Spirit of these Rules — If the procedure to be followed in a given situation is not specifically provided for by these rules and regulations, any suitable procedure or mode of proceeding which appears conformable to the purpose, intent and spirit of these rules shall be adopted.

SECTION 69. Copy of Rules Made Available for Inspection — Every hotel shall keep a copy of these rules open to inspection whenever any of its guests or tenants shall request to be shown a copy thereof.

SECTION 70. Penalties for Violation — Any person, whether natural or judicial, violating or causing another to

violate any provision of these rules shall be guilty of an offense and shall, upon conviction by a competent court, suffer the penalty of imprisonment of not less than two (2) years nor more than five (5) years or a fine of not less than five thousand pesos (P5,000.00) nor more than ten thousand pesos (P10,000.00), or both, at the discretion of the court. In addition thereto, such violation shall ipso facto constitute a valid ground for the revocation of all privileges, permits and authorization granted to such person or entity under this decree by the Department of Tourism. Provided, however, that if the offender is a corporation firm, partnership or association, the penalty shall be imposed upon the guilty officer or officers, as the case may be, of the corporation, firm or association, and if such guilty officer is an alien, in addition to the penalties herein prescribed, he shall be deported without need of further proceedings on the part of the Commission on Immigration and Deportation.

SECTION 71. Effectivity — This code shall take effect fifteen (15) days after its publication in the Official Gazette or in a national newspaper of general circulation in the Philippines.

SECTION 72. Separability Clause — The provisions of these rules are hereby declared separable, and in the event anyone or more of such provisions are declared invalid, the validity of the other provisions shall not be affected thereby.

SECTION 73. Repeal — 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 hotels which are inconsistent with these rules and regulations are hereby repealed and superseded accordingly.

Adopted: 28 Oct. 1987

Re-Issued: 9 Jan. 1991

(SGD.) JOSE ANTONIO U. GONZALEZ

Secretary

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