ESTABLISHING A VOLUNTARY ACCREDITATION SYSTEM FOR PROFESSIONAL TRADE FAIR/EXHIBITION ORGANIZERS, AND FOR OTHER PURPOSES

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Pursuant to section 3 (1), Title X, Book Iv of the Administrative Code of 1987 In Relation to Section 2 of Executive Order No. 913, Series of 1983, The Following Rules and Regulations are Hereby Prescribed and Promulgated for the Compliance, Guidance and Information of all Concerned:

Chapter I
Policy and Objectives; Definition of Terms

SECTION 1. Declaration of Policy; Objectives. - The Department of Trade and Industry recognizes the vital role being played by international trade fairs/exhibitions in developing and enhancing not only export but also industry and investment. Thus, DTI shall promote and encourage international trade fairs/exhibitions. But at the same time DTI shall provide and exercise reasonable regulation and supervision over the International Trade Fair/Exhibition Industry whenever necessary and for limited periods of time as far as practicable, considering the DTI policies to ensure free competition and to deregulate. The regulation under this DAO is for the purpose of achieving the following objectives:

a. To recognize PTF/EOs who/which are bona fide and in good standing, for purposes of availment of DTI assistance and services and protection of interests of exhibitors and buyers/visitors;

b. To avoid the overlapping of international trade/fairs/exhibitions considering the limited market in the Philippines; and

c. To curtail alleged acts and practices of some persons and entities in the Industry which tarnish the image of the industry and that of the country.

SECTION 2. Definition of terms. - For purposes of this DAO, the term:

a. Trade Fair/Exhibition - means a specialized display of goods and/or services organized primarily for the purpose of introducing specific products to target markets in the Philippines or abroad. This is characterized by a gathering of "buyers" who view exhibits or see demonstrations by "sellers", which may not be open to the general public.

b. Domestic Trade Fair/Exhibition - means a type of trade fair/exhibition that caters only to the general public, where admission is either free or for a fee. This type is not covered by this DAO.

c. International Trade Fair/Exhibition - means a type of trade fair/exhibition, covered by this DAO, which is characterized by either of the following conditions:

1. the number of foreign exhibitors (direct or indirect) must be at least 20% of the total number of exhibitors;

2. the net surface rented to foreign exhibitors (direct or indirect) must be not less than 20% of the total net surface rented to exhibitors; and, in addition to 1 or 2; or

3. the foreign buyers/visitors should number not less than 4% of the total number of buyers/visitors.

d. Exhibitor - means a person or firm, local or foreign, who/which has been accepted to participate in an international trade fair/exhibition either as a direct participant or through his/its agent/representative in the Philippines.

e. Buyer/Visitor - means a natural person, local or foreign, belonging to a particular industry who is engaged in the business of trade (bulk) buying, which is characterized by opening of domestic or international letter of credit (L/C) and not over-the-counter sales transactions.

f. Professional Trade Fair/Exhibition Organizer (PTF/EO) - means a private person or firm, who/which is engaged in the Philippines in the business of organizing, managing and promoting international trade fairs/exhibitions in the Philippines.

g. International Trade Fair/Exhibition Industry - means the totality of all the component sectors in the Philippines, other than the exhibitors, which provide services and facilities for international trade fairs/exhibitions, such as private lessors of venue, equipment, and facilities; booth contractors; construction firms; and forwarding companies.

h. DTI - means the Department of Trade and Industry.

i. ITG - means the Office of the Undersecretary for International Trade Group, DTI.

j. Accreditation - means the official recognition given by DTI, through ITG, to a PTF/EO after finding that it meets the requirements set by this DAO.

k. This DAO - means this Department Administrative Order.

Chapter II
Accreditation

SECTION 3. Establishment of a Voluntary Accreditation System. - In pursuance of the above-mentioned objectives, there is hereby established a voluntary accreditation system for PTF/EOs whereby only duly accredited PTF/EOs shall be entitled to DTI's endorsement of the international trade fairs/exhibitions to be organized, managed, and promoted by them. This system however is a temporary arrangement only.

SECTION 4. Procedure, Documentary Requirements, and Criteria. - The procedure, supporting documentary requirements, and criteria for accreditation are stated in Annex "A"[*] hereof which forms an integral part of this Order. All applications for accreditation shall be filed within three (3) months from the effectivity of this DAO, extendible by ITG if circumstances warrant.

SECTION 5. Filing Fee and Accreditation Fee. - The applicant shall pay a non-refundable fee of Five Hundred Pesos (P500.00) upon filing of his/its application for accreditation. Upon approval by ITG of the application, an Accreditation Certificate shall be issued to the applicant upon payment of an accreditation fee of Two Thousand Pesos (P2,000.00).

SECTION 6. Verification. - The filing of the application shall be deemed the applicant's permission to ITG to verify from whatever sources the veracity of the entries/statements in the application form and supporting documents as well as the genuineness of said documents.

SECTION 7. Period of Validity of Accreditation Certificate. - The Accreditation Certificate shall be valid for three (3) years from date of issue as stated in the Certificate.

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SECTION 8. Permit to Organize an International Trade Fair/Exhibition. - (a) One of the documents to be submitted by the applicant for accreditation is the list of international trade fairs/exhibitions that it will organize, manage, and promote within a period of three (3) years. A Permit for the purpose which shall cover all the international trade fairs/exhibitions in the list, shall be issued by ITG simultaneously with the issuance of the Certificate of Accreditation or immediately thereafter. The fee for the said Permit is deemed included in the Accreditation Fee.

(b) Any change in date or additional event shall be filed at least one year before the scheduled date of the event, and a permit for this change shall be likewise issued without further fee.

(c) In so permitting, the ITG shall consider the interval period between international trade fairs/exhibitions catering to the same industry, in order to protect the interests of both the exhibitors and buyers/visitors.

(d) The DTI through ITG as well as the Association of Philippine Professional Congress & Exhibition Organizers & Suppliers (APPCEOS) shall each issue an endorsement for every international trade fair/exhibition in the said approved list. ITG or APPCEOS however may refuse to issue an endorsement should there be strong justification/s for the refusal.

SECTION 9. Non-Transferability of Certificate and Permit. - The Certificate of Accreditation and the Permit to organize international trade fairs/exhibitions are issued only after carefully evaluating the qualifications of the applicant. Hence, no PTF/EO shall transfer or alienate in whatever manner, or allow another to use, said Certificate and Permit issued to it.

SECTION 10. Display of Certificate. - The Certificate of Accreditation shall be displayed in a conspicuous place in the main office of the PTF/EO.

SECTION 11. Advertisements. - Accredited PTF/EOs are authorized to state in their advertisements through the print media, television, brochures, posters, and the like and its manuals, letters of invitation to exhibitors/visitors/buyers, and contracts the term "Accredited by DTI, Cert. of Acc. No. _____," and the term "this International Trade Fair/Exhibition is covered by DTI Permit No. _____", or any other similar terms.

SECTION 12. Foreign PTF/EOs. - Any foreign PTF/EO engaged abroad in the business of organizing, managing, and promoting international trade fairs/exhibitions, wishing to have the Philippines as the venue of such event, shall tie-up with an accredited PTF/EO in the management of said event.

Chapter III
Sundry Provisions

SECTION 13. Unlawful Acts and Omissions. - The following acts and omissions are unlawful under this DAO:

a. Willful misrepresentation by the applicant of a material fact in obtaining the Accreditation Certificate or said Permit from ITG.

b. Misrepresentation by the applicant through negligence, of a material fact in obtaining the Accreditation Certificate or said Permit from ITG.

c. Misrepresentation by any person/firm to anybody, here or abroad, that -

1. he/it is accredited by, or has a Certificate of Accreditation from, DTI or ITG, if the truth is that at the time the misrepresentation was made, he/it is not so accredited, nor he/it have said Certificate or that same has expired, is under suspension or had been previously revoked; or

2. he/it has a Permit to organize, manage, and promote his/its international trade fair/exhibitions; or

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3. his/its international trade fair is supported, endorsed, encouraged, recognized, or authorized by, or registered with, or has the cooperation/coordination of, DTI, ITG, or any other DTI unit.

SECTION 14. Administrative Adjudication. - The unlawful acts and omissions in the immediately preceding Section shall be subject to the existing DTI Administrative Adjudication System provided under E.O. No. 913, Series of 1983 and DTI Ministry Order No. 69, Series of 1983 as amended.

SECTION 15. Mediation and Formal Hearing. - The administrative adjudication shall be commenced either:

1. Motu propio by ITG by issuing a Formal Charge to and against the violator.

2. By any other party, by filing with ITG a complaint

In either mode, ITG may conduct a Mediation of the case. If during the Mediation the Respondent admits the offense ITG may already render the decision, imposing reasonable administrative sanctions/penalties, otherwise, ITG shall elevate the case, through a Memorandum of Transmittal to the Office of Legal Affairs for Formal Hearing and decision.

SECTION 16. Implementing Unit. - ITG shall implement this DAO. The Undersecretary for ITG is hereby authorized to assign or delegate any of the functions of ITG under this DAO to any of his subordinates.

SECTION 17. Sunset Provision. - On the day that all the Certificates of Accreditation issued under this DAO have expired, this DAO shall co-expire, except that administrative adjudications may continue or be commenced, as the case may be, even after this DAO expires, with respect to unlawful acts and omissions committed during the effectivity of this DAO, subject to the prescriptive period provided in M.O. 69, S. 1983.

SECTION 18. Repealing Clause. - All issuance or parts thereof which are inconsistent with this DAO are hereby repealed or amended accordingly.

SECTION 19. Effectivity. - This DAO shall take effect fifteen (15) days after its publication in full in two (2) newspapers of general circulation in the Philippines.

Adopted: Nov. 1993

(SGD.) RIZALINO S. NAVARRO
Secretary

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[*] Text available upon request at the Office of the National Administrative Register (ONAR), U.P. Law Center, Diliman, Quezon City.

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