AMENDING SECTION 137 OF THE IMPLEMENTING RULES AND REGULATIONS OF REPUBLIC ACT NO. 9593

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Pursuant to the powers vested in the Secretary of Tourism by law, the following rules and regulations are hereby promulgated amending Section 137 of the Implementing Rules and Regulations of R.A. No. 9593 on the Tourism Congress.

"Section 137 — The Tourism Congress.

(a) The Secretary shall convene the Tourism Congress composed of representatives of accredited tourism enterprises including former government officials involved in tourism. Former government officials shall refer to former Secretaries of Tourism; provided that they are no longer in government service and have complied with the requirements of the Tourism Congress.

For primary and secondary tourism enterprise sectors that are not yet covered by the existing Department accreditation system, the permit, license or franchise issued by the relevant national government regulatory agency shall be recognized as their accreditation.

(b) The Tourism congress as convened in accordance with these Rules shall elect at least a President, Secretary, Treasurer and as many officers to equally represent the accommodation, transportation, travel and tours, meetings, incentives, conventions and exhibitions (MICE) tourism estate development, and other tourism enterprise sectors, and from Luzon, Visayas and Mindanao; Provided further, That only high ranking officials of tourism enterprises accredited by the Department or other government regulatory bodies shall be elected officers of the Congress. The Tourism Congress shall establish a Secretariat.

For the purpose of electing a new set of Board of Trustees and Officers of the Tourism Congress convened under this amended provision, the Secretary shall preside over the election of its President.

(c) The Tourism Congress as convened herein shall adopt and ratify its Constitution and By-laws; Provided, That the same are consistent with these Rules.

(d) The Tourism Congress as convened herein shall nominate three (3) candidates from among its members, as far as practicable, providing for equal representation from Luzon, Visayas and Mindanao, from each of the following sectors to represent the tourism industry in the Tourism Board:

1. Accommodation enterprises;
2. Travel and tour services;
3. Land, air and sea tourist transport services;

4. Conventions, meetings, incentive travel, exhibitions/events services, facilities and direct suppliers such as those that provide the following: venue, booth systems and custom-built contractors, exhibition forwarders and exhibition logistics; and

5. Other accredited tourism enterprises.

(e) The Tourism Congress as convened herein shall recommend three (3) candidates from among its members, as far as practicable, providing for equal representations from Luzon, Visayas and Mindanao, from each of the following sectors to the TIEZA Board:

1. Tourism estate development and management services which refer to enterprises actively engaged in the development, operation and management of a tourism estate.

Tourism Estate refers to a tract of land with defined boundaries suitable for development into an integrated resort complex with prescribed carrying capacities of tourist facilities and activities such as but not limited to sports and recreation centers, accommodations, convention and cultural facilities, food and beverage outlets, commercial establishments and other special interest and attraction activities/establishments and provided with roads, water supply facilities, power distribution facilities, drainage and sewage systems and other necessary infrastructure and public utilities. A tourism estate shall be under a unified and continuous management and can either be a component of a tourism enterprise zone or the whole tourism enterprise zone itself.

2. Accommodation enterprises;
3. Travel and tour enterprises;
4. Land, air and sea tourist transport services; and
5. Other accredited tourism enterprises.

(f) The Tourism Congress as convened herein shall, from among its members, likewise nominate at least six (6) candidates to the DFPC Board.

(g) In the selection of candidates to be nominated to the Tourism Board, the TIEZA Board, and the DFPC Board, the Tourism Congress shall ensure that the following minimum qualifications are complied with:

1. Candidates must be Filipino Citizens;
2. With recognized competence in business management, marketing, finance, tourism and other related fields;
3. Must represent an accredited tourism enterprise as of the date of selection and appointment;
4. Must be a high ranking official of an accredited tourism enterprise or registered enterprise, as the case may be; and
5. Must be duly authorized by the governing Board of the company he/she is representing.

h) With 30 days from the election of officers of the Tourism Congress as convened herein, the nominations of the Congress to the Tourism Board, the TIEZA Board and the Board, as the case may be shall be transmitted, through a Board Resolution, to the secretary for endorsement to the President; Provided, that the Board Resolution shall state that the Congress certifies that the nominees possess the qualifications set forth in these result.

(i) The Tourism Congress as convened hereto shall designate its representative to the Tourism Coordinating Council from among its members who is a high ranking official of an accredited tourism enterprise or registered enterprise.

(j) The Tourism Congress as convened herein shall! sen/e as the private sector consultative body to assist the government in the development, implementation and coordination of tourism policies, plans and programs.

(k) The Tourism Congress as convened herein shall meet annually to carry out its mandate pursuant to these Rules."

To properly conform to the provisions and intent of Section 104 of the Tourism Act of 2009, the Tourism Congress created and organized pursuant to the 2009 Implementing Rules and Regulations of R.A. No. 9593, shall be superseded by the Tourism Congress convened and organized pursuant to this Section.

This amendment shall take effect immediately upon publication.

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Adopted: 09 August 2011

(SGD.) ALBERTO ALDABA LIM
Secretary
Department of Tourism

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