

A DECREE RE-ENACTING PRESIDENTIAL DECREE NO. 867 AND AMENDING CERTAIN PROVISIONS THEREOF

PRESIDENTIAL DECREE NO. 1448, June 11, 1978

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WHEREAS, the promotion of the tourism and travel industry in the Philippines is a primary concern of the government;

WHEREAS, the growth and development in tourism accommodations and facilities underscore the need for a concerted and planned effort to promote the Philippines not only as a tourism destination in the area but also as a center for world congresses and conventions; and

WHEREAS, it is necessary that an entity be created through which the government and the private sector in the tourism and allied fields can pool their resources, talents and efforts to achieve and attain the abovementioned goals.

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution, hereby decree that;

SECTION 1. There is hereby created a non-stock, non-profit corporate body to be known as the Philippine Convention Bureau which shall maintain its principal office in Metropolitan Manila.

The Philippine Convention Bureau is hereby authorized to adopt, alter and use a corporate seal; to enter into contracts; to lease or own real and personal property and to sell or otherwise dispose of the same; to sue and be sued; and otherwise do and perform any and all things that maybe necessary and proper to carry out the purposes of this Decree or as are essential to the proper conduct of its corporate operations.

SEC. 2. Objectives. The general objectives of the Philippine Convention Bureau are:

- To create and maintain an organizational machinery to plan, develop and execute a campaign to promote tourism and to attract international congresses and conventions in the Philippines.
- To conduct a continuing program to promote and project Metro Manila as a Convention City.
- To supervise, assist in and/or coordinate all activities related to the smooth operation of various congresses and conventions to be held in the country.
- To oversee the requirements and general welfare of the Conventioneers.
- To encourage and promote the development of skills and services necessarily connected with or forming an integral part in the holding of international congresses and conventions.

SEC. 3. Membership. Membership in the Philippine Convention Bureau is open to entities, groups or individuals with direct or indirect economic, social or cultural interest in congresses and conventions, such as shipping companies, souvenir and gift shops, manufacturers, exhibit promoters, international friendship organizations, interested national organizations, and others. However, membership in the Bureau for hotels, travel agencies, tour

operators, tourist transport operators, professional congress organizers, and certain classes of restaurants, resorts and night clubs as determined by the Department of Tourism shall be a requirement for the issuance of their respective licenses or permits to operate.

There shall be a Membership Committee to be created by the Board of Trustees whose principal duty is to screen and submit to the Board its findings or recommendations on all applications for membership.

The Board of Trustees shall exercise exclusive authority in approving Membership with a simple majority vote of all the members of the Board.

SEC. 4. Board of Trustees. There shall be a policy making body to be known as the Board of Trustees whose membership shall be drawn from the Government and private sectors directly involved in the planning and facilitation of international congresses and conventions, namely:

- The Secretary of Tourism, Chairman.
- The Assistant Secretary, Office of United Nations Affairs and International Conferences, Department of Foreign Affairs, Member.
- The Governor of the Central Bank of the Philippines or his duly authorized permanent representatives, Member
- The President, Hotel and Restaurant Association of the Philippines, Member
- The President, Association of Tour Operation of the Philippines, Member
- The President of Philippine Air Lines or his duly authorized permanent representative, Member
- The Director, National Media Production Center, Member
- The Director, Bureau of Tourism Services, Member
- The Director, Bureau of Tourism Promotion, Member
- The General Manager, Philippine Tourism Authority, Member
- The President, Tourism Organization of the Philippines, Member

The Chairman of the Board of Trustees shall be assisted by a Vice Chairman who shall be elected from among the members of the Board and shall upon the incapacity or absence of the Chairman, act in his stead. The Executive Director shall sit in the Board as an Ex Officio Member.

SEC. 5. Terms of Office. The term of the Board Members representing the private sector shall run co-terminus with their tenure as officials of their respective Association.

The term of all members from the government sector shall be co-terminus with the tenure of their respective government positions.

SEC. 6. Compensation of the Board of Trustees. Members of the Board of Trustees shall not receive any compensation or remuneration for their services as such, except for per diems to be determined by the Board for every actual attendance in meetings and expenses for missions or assignments undertaken for the Bureau.

Attendance in meetings of any committee created by and composed of members of the Board of Trustees shall be considered as attendance in a Board meeting; Provided, That in regular meetings of the Board, no proxy shall be allowed.

SEC. 7. Powers and Duties of the Board of Trustees. The Board shall have the following powers and duties:

- Promulgate policies, approve programs and prescribe rules and regulations necessary to implement the intents and purposes of the Bureau.
- Approve the annual Budget and such supplemental Budget as may be submitted by the Executive Director.
- Fix the salaries of the Executive Director and the Deputy Executive Director and such other officers and personnel as may be necessary for the internal administration of the Bureau.
- Render through its Chairman annual reports to the President and such other special reports that may be required from time to time.
- Exercise all powers necessary or incidental to the attainment of the intent or purpose of this Decree.

SEC. 8. Executive Power. The Executive Power shall be vested in the Executive Director whose primary duty is to oversee the operations of the Bureau. He shall be assisted by a Deputy Executive Director.

The Executive Director and the Deputy Executive Director shall be elected by a vote of at least eight (8) members of the Board of Trustees. The Executive Director shall serve as the Bureau's Chief Executive Officer with powers as prescribed by the Board of Trustees.

The tenure of the Executive Director shall be fixed by the Board of Trustees.

All other appointments to all positions in the Bureau shall be acted upon and approved by the Board of Trustees upon the recommendation of the Executive Director.

SEC. 9. Duties of the Executive Director. The Executive Director shall have the following duties and responsibilities:

- Execute and/or administer the policies and measures approved by the Board.
- Direct, manage and supervise the executive functions of the Bureau and shall be responsible for the efficient conduct of its operation.
- Determine the general work program of the Bureau.
- Represent the Bureau in all dealings with other government offices, agencies, and other private organizations whether foreign or domestic, as maybe authorized by the Board.
- Prepare and submit to the Board the annual budget and other supplemental budgets as exigencies demand.
- Prepare and submit to the Board the annual report including statement of finances covering the operations of the Bureau.
- Perform such other functions as the Board may delegate.

SEC. 10. Duties of the Deputy Executive Director.

- The Deputy Executive Director shall perform such duties as designated by the Executive Director and shall act in his stead upon the incapacity or absence of the Executive Director.
- He shall directly supervise the functions of the Administrative Department.

SEC. 11. Organizational Set-Up. The Bureau shall have the following Departments: Marketing & Promotions, Administrative, Research and Statistics, Consultation and Liaison, Secretariat, and Finance. The Board of Trustees may, however, create such other departments or staff as will promote and improve the functions and operation of the Bureau.

SEC. 12. Duties of the Administrative Department. The Administrative Department shall take charge of providing the Bureau with services relating to personnel administration and development, records management, supplies and equipment procurement, maintenance services, collection and disbursement administration, legal service and such other functions as may be assigned by the Board of Trustees.

SEC. 13. Duties of the Research and Statistics Department. The Research and Statistics Department shall provide data and establish a continuous program of research covering such areas as market and competition, standards and ethics, policies and incentives and shall disseminate such information for the benefit of the members of the Bureau.

SEC. 14. Duties of the Marketing and Promotions Department. The Marketing and Promotions Department shall device and spearhead a sustained promotional scheme covering all general and specialized media here and abroad to project Manila as a convention destination and to negotiate and generate actual convention business into the country.

SEC. 15. Duties of the Consultation & Liaison Department. The Consultation and Liaison Department shall serve as the Bureau's technical arm in organizing, assisting and facilitating international conventions and shall ensure the proper execution of cooperative agreements between the local and foreign organizers of conventions.

SEC. 16. Duties of the Secretariat Department. The Secretariat Department shall provide training, documentation, creative and Secretariat Services to members of the Bureau and to international secretariats with congresses and conventions in the Philippines.

SEC. 17. Duties of the Finance Department. The Finance Department shall be responsible for providing the Bureau with staff advice and assistance in all matters relative to budgetary financial and management improvement matters.

SEC. 18. Funds of the Bureau. Funds for the operations and programs of the Philippine Convention Bureau shall be drawn from the following sources:

- A uniform Two Hundred Thousand Pesos (P200,000) annual contribution from each of the government offices represented in the Board of Trustees except the Central Bank and Philippine Air Lines which shall contribute Five Hundred Thousand Pesos (P500,000) each.
- An annual subsidy representing 10% of the annual collection of the travel tax to be automatically and directly remitted by the agency authorized to collect and/or release said tax to the Philippine Convention Bureau; Provided, That the actual expenditure of this subsidy shall be subject to government audit.
- An annual subsidy representing 50% of the annual collection of hotel room tax to be released and disbursed under the same conditions as paragraph 2.
- Annual membership dues from the compulsory members in accordance with the following scales:
 - 4 to 5 star hotels in Metro Manila $\frac{1}{2}$ of 1% of their gross income exclusive of funds held in trust;
 - 1 to 3 star hotels in Metro Manila, $\frac{1}{4}$ of 1% of their gross income exclusive of funds held in trust;
 - 4 to 5 star hotels in cities and capital towns, $\frac{1}{8}$ of 1% of their gross income exclusive of funds held in trust;
 - Tour operators in Metro Manila, $\frac{1}{2}$ of 1% of their gross earnings; and
 - Provincial tour operators without offices in Manila, $\frac{1}{8}$ of 1% of their gross earnings.

The contributions from all other tourism-oriented establishments such as restaurants, resorts, and travel agencies,

tourist transport operators, professional congress organizers, Philippine passenger airlines not prescribed above shall be determined and fixed by the Board of Trustees.

- Subsidies or grants that may be received by the Philippine Convention Bureau.

SEC. 19. GSIS Membership. The officers, personnel and staff of the Bureau shall, by virtue of this Decree, become compulsory, members of the GSIS and as such, they shall be entitled to all the benefits normally accorded to GSIS members such as retirement benefits, insurance, medicare, leave and similar benefits.

SEC. 20. Tax Exemption. Notwithstanding the provisions of any general or special law to the contrary, the Bureau, its assets, property, income and transactions shall be exempted from all taxes, imposts, fees and charges. Contributions to the Bureau shall be deductible in full from the donor's income tax.

SEC. 21. Applicability of the Corporation Law. The provision of the corporation law shall apply to the Bureau as they are not inconsistent with the provisions of this Decree.

SEC. 22. Exemption from OCPC Classification. The following positions in the Philippine Convention Bureau's corporate structure are exempted from OCPC classification: Executive Director, Deputy Executive Director, Department Heads, Corporate Secretary and all regular, technical and professional staff as determined by the Board of Trustees.

SEC. 23. Repealing Clause. All existing laws, presidential decrees, general orders, letters of instructions, executive orders, inconsistent with this Decree are hereby repealed.

This Decree shall supercede Presidential Decree No. 867 and shall take effect immediately.

Done in the City of Manila, this 11th day of June in the year of Our Lord, nineteen hundred and seventy-eight.

(Sgd.) FERDINAND E. MARCOS
President of the Philippines

By the President:

(Sgd.) JACOBO C. CLAVE
Presidential Executive Assistant

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