



Republika ng Pilipinas  
Lalawigan ng Davao del Norte

## Sangguniang Panlalawigan

Legislative Building, Mankilam, Tagum City, Davao del Norte



**EXCERPTS FROM THE MINUTES OF THE 46<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG PANLALAWIGAN OF DAVAO DEL NORTE (TERM 2019-2022) HELD AT THE SESSION HALL, PROVINCIAL GOVERNMENT CENTER (CAPITOL), TAGUM CITY, ON MONDAY, NOVEMBER 15, 2021**

**Present:**

Hon. Rey T. Uy	Vice Governor (Regular Presiding Officer)
Hon. Janris Jay G. Relampagos	Member (Temporary Presiding Officer)
Hon. Robert L. So	Senior Board Member
Hon. Nicandro T. Suaybaguio, Jr., UAP	Member
Hon. Jannet N. Tanong-Maboloc	Member
Hon. Franklin D. Gentiles, CE	Member
Hon. Francisco C. Remitar, MDMG	Member
Hon. Prospero E. Estabillo, Jr.	Member
Hon. Roy J. Catalan	Member
Hon. Roger A. Laguna	Member
Hon. Denise Marianne A. Lu, MD	Member
Hon. Dindo C. Parangan	Member/FABC
Hon. Silvino P. Matobato, Jr., PTRP	Member/PCL
Hon. Ariel S. Macla	Member/IPMR
Hon. Emerson Dave A. Silutan, LPT	Member/SKPFP

**On Official Business: None**

**Absent: None**

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*Sponsors: Hon. Jannet N. Tanong-Maboloc, Hon. Dindo C. Parangan, Hon. Francisco C. Remitar, MDMG and Hon. Denise Marianne A. Lu, MD*

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### EXPLANATORY NOTE

Since the enactment of the Davao del Norte Tourism Code in 2014, various activities have been undertaken to adopt a more responsive approach to aggressively promote the tourism industry in the region. Gains have already been made but there are still new opportunities to explore for the sustainability of the tourism industry in the Province. Different sectors call for the government to have a strong political leadership to ensure a continuous process and somewhat, a need to constantly monitor the influx of tourists have become mandatory.

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In view of the significant changes in tourism landscape from digital advancements to the rise of Airbnb as an accommodation platform, and the growth of social media influencers, there is a need to vigorously pursue a strategy to promote Davao del Norte, for these factors have shaped the way the travel industry looks today and the predicted direction it will head in the future.

There are also new laws, rules and regulations that need to be recognized as part of the operations of the Province's tourism industry.

It is important to remember that, tourism is all about the people; hospitality – a trademark of Filipinos which is the most common terminology that describes how tourists are welcomed in this country. For the Dabaonon people and the Filipino people as a whole, it is a pleasure and the country's honor to accept visitors and build genuine relationships and friendship with them.

A series of public hearings were conducted in the eleven (11) component Local Government Units (LGUs) of this Province from October 26-29, 2021 via Zoom, spearheaded by the Sangguniang Panlalawigan (SP) Committee on Tourism in coordination with the Provincial Administrator's Office (PAdO) –Tourism Division, the Office of the Secretary to the Sanggunian (OSS) and various key offices. It was found out that Provincial Tourism Code needs updating to be attuned with the changing times especially in consideration of tourism recovery and resiliency plan from COVID-19 pandemic situation. In fact, even the Department of Tourism has amended its policies and guidelines pertaining to the tourism industry to readily address the different issues and concerns. Hence, the passage of this ordinance.

## **PROVINCIAL ORDINANCE NO. 2021-007**

### **THE REVISED TOURISM CODE OF THE PROVINCE OF DAVAO DEL NORTE**

Be it enacted by the Sangguniang Panlalawigan of Davao del Norte in Session Assembled that:

#### **ARTICLE I THE CODE POLICY AND OPERATING PRINCIPLES**

**SECTION 1. TITLE.** This Ordinance shall be known as the "Revised Tourism Code of the Province of Davao del Norte".

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**SECTION 2. DECLARATION OF POLICY.** It shall be the policy of the Province to pursue a sustainable tourism industry that is market and investment-oriented, investor and labor-friendly, health policy-compliant, ecologically disaster-risk resilient, gender accountable and promotes gender equality, culture sensitive, technologically adept with trends and coherent to all government policies for development, and towards these shall:

- a. In pursuing tourism, all tourism stakeholders, establishments and entities must integrate laws on social, economic, health, labor, environment, and culture into the planning and development of appropriate tourism management strategies that will address longer-term perspectives as it is dependent on an intact ecosystem and on institutional structures that can respond to the needs of local people and visitors during natural and manmade hazards.
- b. Establish mechanisms geared towards globalization as the new economic and social reality within which tourism has to operate to respond to the changing market realities by adaptation of strategies to encourage the growth of business and growth for global enterprises must be in place.
- c. Recognize the role of the private sector in tourism planning and development as its ability to invest time, money, marketing, promotion and training is enormous. The government shall complement the private sector in setting standards for efficiency and benchmarking of quality and competitiveness.
- d. Continue the human tourism workforce development project with both theoretical and practical knowledge as necessary to provide quality service with the level of quality needed to attract travelers and create local guides to act as cultural and conservation ambassadors to tourists.

**SECTION 3. OBJECTIVES.** To pursue sustainable tourism, the Province shall pursue the following objectives:

- a. To make known that Davao del Norte is a premier tourist destination.
- b. To specialize niche for group tourism to increase meetings, incentives, conventions and exhibitions (MICE) travel for a high growth segment and giving them the trends for adventure, active and higher involvement experiences, indulgence and luxury, a search for unique experiences that demand for authenticity.

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- c. Establish and develop knowledge management as relevant for achieving competitive advantage due to the use of Information Communication Technology (ICT) and other social media activities. Taking advantage of the new technology and resources of the provincial government by strategically using the mass media to advance information about Davao del Norte's tourist destinations and the people themselves. Likewise, shall provide accurate, timely, and relevant information to enable citizens to participate through information materials in radio or television, films and social media, including the conduct of interpersonal communication.
- d. Compliant on universal health and social services giving emphasis on effective preventive measures in tourist destinations and must be accelerated to increase competitiveness by emphasizing that Davao del Norte is a provider of quality health and medical care services, based on national and international standards.
- e. Yield growth in agri-farm tourism and environmental sustainability by developing farm tours and outdoor recreation activities.
- f. Pursue adequate tourism related infrastructure and facilities that are economically viable and with emphasis on return on investment (ROI) and employment opportunity.
- g. Attain greater livelihood and income opportunities to the locales while pursuing sustainable tourism.
- h. Establish Tourism as vehicle for operational peace and development.
- i. Provide broad-based economic growth and investment as the ultimate result of tourism activities ensuring that the locales will be benefiting from it.

**SECTION 4. OPERATING PRINCIPLES.** In the implementation of the tourism code, the following guiding principles must be adhered to:

- a. Sustainable use of environmental resources that constitute a key element in tourism development, maintaining essential ecological processes and helping conserve the natural heritage, culture, arts and biodiversity in the Province.
- b. Social justice as an underlying principle to promote efforts to address social issues, gender issues and religious beliefs, including poverty, social and economic exclusion, unemployment, and sustainable development.
- c. Respect of human rights as a cornerstone for sustainable tourism development, particularly the rights of vulnerable groups such as minor children, women, senior citizens, differently-abled people, ethnolinguistic groups, Muslims and members of the Lesbian, Gay, Bisexual, Transgender and Queer or Questioning (LGBTQ) community.

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- d. Framework for health, safety and security in every tourist destination which are vital in providing quality services and must be responsive, shall be made available and accessible.
- e. Greater emphasis on human workforce development in the tourism industry.

**ARTICLE II**  
**COVERAGE, SCOPE, DEFINITION OF TERMS**

**SECTION 5. COVERAGE.** This Code shall govern all tourism-related concerns within the territorial jurisdiction of Davao del Norte.

**SECTION 6. SCOPE.** The scope of this ordinance includes the following:

- a. The provisions of this code shall apply to all local government units in Davao del Norte, non-government organizations/people's organizations, businesses and establishments, natural and juridical persons, directly or indirectly involved in the tourism industry;
- b. Local conditions and peculiarities obtaining the provisions of Republic Act No. 7160 as well as such other relevant and applicable laws, rules and regulations issued by the national government and the Department of Tourism shall guide this code in case of ambiguity in the implementation thereof.

**SECTION 7. DEFINITION OF TERMS.** The following definitions are hereby defined for the purpose of this ordinance.

- a. **ACCREDITATION** pertains to the certification issued by the appropriate government agency that the holder is recognized as having complied with the minimum standards required by the Department of Tourism (DOT) in the operation of establishments and facilities concerned.
- b. **DOT** is the acronym of Department of Tourism.
- c. **TIEZA** stands for the Tourism Infrastructure and Enterprise Zone Authority (TIEZA), a government corporation created pursuant to chapter IV-B of R.A. 9593 or "The Tourism Act of 2009".
- d. **CAPITAL RESOURCE** refers to availability of funding for capital or financing transportation, terminals, roads, airports, railroads, harbors and marina, trails and walkways, water, power, waste treatment and communications.

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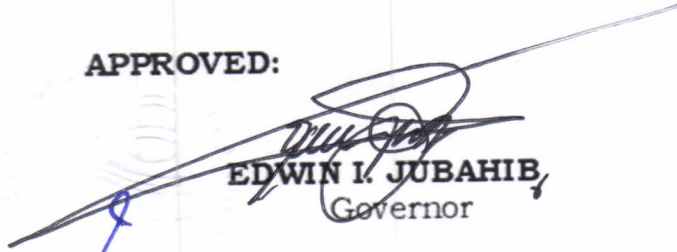
- e. **CULTURAL RESOURCES** are resources with cultural significance which includes historic sites, monuments, shrines cuisine, ethnic cemetery, commercial amenities and state buildings and facilities.
- f. **TOURISM WORKFORCE DEVELOPMENT** includes the programs and activities which aim to develop the warm bodies in the tourism industry including the people operating various establishments and facilities, the local population whose lives are intertwined with the KAAGAPAY (*Kawsa sa Agrikultura ug Panginabuhian sa Barangay*) Program of the Province and the tourists whose quality of lives are enriched and enhanced by the beauty, the history and the culture of their destination.
- g. **HUMAN RESOURCES** are resources which include hospitality and management skills, seasonal labor force, performing local artists (music, arts), craftsmen, other labor skills from teachers to lawyers to researchers and the local population.
- h. **LAW AND REGULATORY INFRASTRUCTURE** is the component which refer to the rules or orders necessary to manage and control the tourism industry. These are put in place to protect the industry and the people who are the very reason for the industry – the tourists, the services and amenities providers in the local population. With laws and regulatory measures, the relationships of tourists and their hosts, thus, become more harmonious and fulfilling.
- i. **PHYSICAL INFRASTRUCTURE** pertains to the structures which include but is not limited to, roads, bridges, administration buildings, toilets and comfort room facilities, parking areas, rest areas, forest tracks, walkways, viewing platforms, cottages, wharves, boat landing facilities, solid waste facilities, security and service facilities and communication centers.
- j. **SUSTAINABLE TOURISM PROPERTIES** refer to sites and attractions not yet developed including but not limited to, rivers, wild animals, waterfalls, caves and rainforest.
- k. **SUSTAINABLE TOURISM DEVELOPMENT** is defined as a mode of tourism development in which resources are utilized to meet the present needs while preserving and sustaining the same so that the same needs can be met and sustained for the next generations.

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- l. **TOURISM** is defined as a major provincial activity in which private sector investment, effort and initiative are encouraged, fostered and supported and through which socio-economic development may be accelerated and appreciated with greater pride and commitment.
- m. **TOURISM INDUSTRY** refers to industries or business enterprises providing goods and services to tourists and all types of travelers while they stay, travel, visit and enjoy the facilities and destinations.
- n. **TOURISM INFRASTRUCTURES** pertain to the physical infrastructures as well as human resource and legal regulatory framework.
- o. **TOURISM RESOURCES** include the natural, cultural, human, or capital resource that either are being used and sustained to attract and serve tourists.
- p. **ECOTOURISM** refers to a fun travel to natural ecosystem to understand the culture and natural history of the environment, a form of sustainable tourism within a natural and cultural heritage area where community participation, protection and management of natural resource, culture and indigenous knowledge and practices, environmental education and ethics, as well as economic benefits are fostered and pursued for the enrichment of host communities and the satisfaction of visitors.
- q. **CULTURAL AND HERITAGE TOURISM** is a type of tourism development that will contribute to economic growth by attracting visitors from outside a host community, who are interested in the historical, artistic, scientific or lifestyle/ heritage offerings of a community, region, group or institution.
- r. **AGRO TOURISM/ FARM TOURISM** is a tourism activity conducted in a farm. It covers attraction, activities, services and amenities as well as other resources in the area to promote local cuisine, agricultural practices and traditional farming.
- s. **BROWNFIELD TOURISM ZONE** pertains to an area with existing infrastructure or development as determined by the council.

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- t. **PRIMARY TOURISM ENTERPRISES** are facilities and services that are directly related to tourism such as, but not limited to, travel and tour services: inbound travel agencies and tour operators/local tour operators, ecotour operators and tour guides; tourist transport services whether for land, sea and air transport exclusively or majority of its seats are for tourist use, including airport taxis and tourist drivers; accommodation establishments such as but not limited to hotels, resorts, apartment hotels, tourist inns, motels, pension houses, private homes used for homestay, ecolodges, condotels, serviced apartments, and bed and breakfast facilities; hotel and tourism estate management services; meetings, incentives, conventions and exhibition organizers and facilities; sports and recreational facilities such as but not limited to dive shops, amusement parks, adventures and ecotourism facilities; foreign exchange dealers and such enterprises as may be identified by the council, after due consultation with concerned sector.
- u. **SECONDARY TOURISM ENTERPRISES** include facilities and services that may be related to tourism such as, but not limited to, cozy restaurants; specialty shops and department stores; sports facilities and recreational centers such as entertainment parks and galleries, theme parks, zoos; health and wellness facilities such as but not limited to spas, muscle clinics and medical concierge; agri- tourism farms and inland resorts; tourism training centers or institutes, including tourism trainers; outbound travel agencies; and such other enterprises as may be identified by the council after due consultation with concerned sectors.
- v. **PROVINCIAL TOURISM AND CULTURE DEVELOPMENT PLAN** is a roadmap that provides for the orderly and rational development of tourism and culture activities within the province, providing goals, objectives and strategies to promote programs, projects, and activities such as but not limited to sites development, policy formulation, marketing and promotions, tourism workforce development, culture and heritage, among others.
- w. **DENR** is the acronym of Department of Environment and Natural Resources.
- x. **PIA** stands for Philippine Information Agency.
- y. **NCMF** refers to the National Commission on Muslim Filipinos.
- z. **NCIP** means National Commission on Indigenous Peoples.


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- aa. **PNP** stands for the Philippine National Police.
- bb. **NHCP** is the acronym of the National Historical Commission of the Philippines.
- cc. **ETHNOLINGUISTIC GROUP** is defined as a group of people identified by the government and anthropologists that is unified by a common ethnicity and language, ritual, cultural tradition, cuisine, dressing style, history, ancestry and usually living in a particular ancestral domain area.
- dd. **CULTURE** refers to a set of shared attitudes, values, goals, and practices that define a group of people, such as the people of a particular region.
- ee. **ARTS** is defined as a vast subdivision of culture, composed of many creative endeavors and disciplines”.
- ff. **AIRBNB** refers to a residential property that hosts rent on a short-term basis to travelers offering traditional bed and may include breakfast. It can be anything from a house, a single room, a boat or even a tree house.
- gg. **HOMESTAY** is a form of hospitality and lodging whereby visitors share a residence with a local of the place to where they are visiting.
- hh. **TOURISM DEVELOPMENT AREAS** are recognized protected areas being natural parks, marine reserves, protected landscapes, wildlife sanctuary, protected seascapes, protected landscape-seascape, watershed reservation, or watershed forest reservation that are developed as tourist destinations.
- ii. **PUBLIC-PRIVATE PARTNERSHIP (PPP)** pertains to contractual arrangements entered into by the government with the private sector. Under a PPP scheme, the private sector can build, operate and maintain public infrastructure facilities and provide services traditionally delivered by government.
- jj. **TRIPARTITE PARTNERSHIP AGREEMENT** is a development agreement by and among the Provincial Government with another local government or the National Government and private sector.

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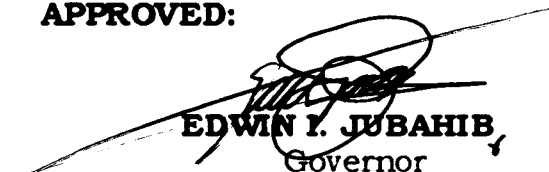
- kk. **TOURISM CIRCUIT** is defined as a route having at least three major tourist destinations which are distinct and apart. The objective of having a tourist circuit is to increase the total number of visits to all the destinations on the circuit on the one hand and to provide to the tourist the attractions of all the destinations located on the circuit.

### **ARTICLE III THE TOURISM INFRASTRUCTURES**

**SECTION 8. PHYSICAL INFRASTRUCTURE.** On its own or through the National Government Agencies (NGAs) or public-private partnership/ tripartite partnership contractual arrangement, the Province or any of its component Local Government Unit (LGU) shall endeavor to construct tourism infrastructure that will provide employment to the locals, ensure return on investment and become a must-see infrastructure, and toward this end shall endeavor to provide:

- a. Transport infrastructures for destination access to tourists from the domestic to international markets that includes roads and traffic signs for tourism circuits, parking areas and terminals, bridges and landmarks, airports, airfields, railways, toilets/comfort room facilities, viewing platforms, cottages, seaports and/or boat landing facilities and wharves.
- b. Accommodation infrastructures like hotels, motels, homestays, Airbnb, dormitories, 24/7 restaurants/bars, 24/7 convenient stores, 24/7 diners and Pasalubong Centers or One-Stop-Shops.
- c. Environmental infrastructures to protect and preserve natural parks, marine reserves, wildlife sanctuaries and reserves, caves, falls, natural landscapes, natural seascapes, natural landscape-seascape, watershed reservation, or watershed forest reservation farms, eco-tourism parks, tribal villages and mosques, farm tourism facilities, tree farm parks, camping ground, solid waste facilities and other tourism areas.
- d. Sports and leisure infrastructures like public gyms, swimming pools and fitness centers, sports halls and stadiums, sports centers and parks, recreational areas, tennis courts, golf courses, cycling tracks, casinos and other facilities and areas.
- e. Infrastructure for safety and resiliency, power, potable water sources and supply, communication and internet facilities.

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- f. Social Infrastructures for basic quality of life like housing, healthcare or schools.
- g. Implementing guidelines, rules and regulations for the construction of accommodation facilities including shopping center, health care centers, emergency and safety facilities, recreation, entertainment and restaurants conforming to the building code and other environmental laws.

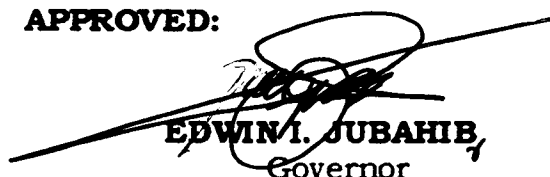
**SECTION 9. TOURISM WORKFORCE DEVELOPMENT.** Acknowledging tourism as a major factor in income and employment generation in the Province of Davao del Norte, all LGUs are therefore strongly encouraged to create or strengthen its Tourism Office with qualified human resource component and sufficient budgetary allocation for its operations. The creation or strengthening shall be geared towards the fulfillment of the needs of the key players and stakeholders of the tourism industry. Towards this end, both local government units and stakeholders in tourism shall join hands to:

- a. Provide financial and technical support for the professionalization of services and skills of tourism industry workers.
- b. Organize and train a team of provincial and local trainers to capacitate and improve delivery of services of tourism frontliners such as tourism officers, transport operators, tour guides, drivers, sea fearers, porters and the like.
- c. Implement the certification and accreditation system as provided in the implementing rules of Republic Act No. 9593 to regulate the quality of services and skills provided by frontliners and other tourism industry practitioners/professionals.
- d. Incorporate the culture of tourism and values formation in all levels of education starting with the elementary or primary level.

**ARTICLE IV**  
**CREATION OF THE PROVINCIAL TOURISM, CULTURE AND ARTS COUNCIL**

**SECTION 10. CREATION OF THE PROVINCIAL TOURISM, CULTURE AND ARTS COUNCIL.** To incorporate culture and arts as an integral part of tourism development strategy, there is hereby created a Provincial Tourism, Culture and Arts Council which shall be the highest policy formulating body in the development and promotion of tourism, culture and arts in Davao del Norte.

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**SECTION 11. COMPOSITION.** The Provincial Tourism, Culture and Arts Council shall be composed of the following:

**Chairperson:** Provincial Governor with a permanent Representative  
**Members:**

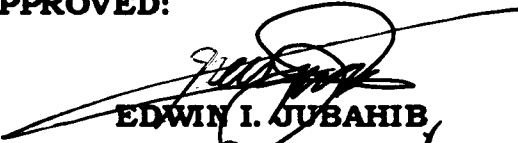
Chairperson, Sangguniang Panlalawigan (SP) Committee on Tourism  
Chairperson, SP Committee on Davao del Norte Historical and Cultural Affairs  
Provincial Planning and Development Coordinator  
Provincial Budget Officer  
Provincial Information Officer  
Designated Provincial Tourism Officer or its equivalent  
Representative, Department of Tourism (Region XI)  
Representative, Provincial Tourism Council  
Representative, Local Museums Operators, if any  
Representative, National Commission for Culture and the Arts, if any  
Representative, Department of Education (Division of Davao del Norte)  
Representative, Commission on Higher Education (Region XI)  
Provincial Director, Technical Education and Skills Development Authority (TESDA)  
Provincial Officer, National Commission on Indigenous Peoples (NCIP)  
Provincial Director, Department of Trade and Industry (DTI)  
Representative, Local Chamber of Commerce, if any  
Representative, Local Group of Professional Artists, if any  
Representative, Local Hotels and Resorts Association, if any  
Representative, Academe / Universities that are offering tourism/hospitality management related courses

**SECTION 12. MEETINGS AND QUORUM.** The Provincial Tourism, Culture and Arts Council shall meet once in a quarter. A simple majority of the members called upon by the Chairperson with prior written notice shall constitute a quorum. The Chairperson may *motu proprio* call for a special meeting when the need arises.

**SECTION 13. DUTIES AND FUNCTIONS OF THE COUNCIL.** The Provincial Tourism, Culture and Arts Council shall:

- a. Conduct meetings to discuss and develop tourism, culture and arts in harmony with the Philippine Development Plan for tourism, culture and arts which shall be integrated to the local development plan and considered in the annual appropriation.

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- b. Formulate programs and recommendations to develop and sustain local tourism activities with the view of promoting local cultural and artistic talents, cultural and contemporary arts and crafts.
- c. Provide travel and health advisories in accordance with the accepted guidelines from the Department of the Interior and Local Government and/or the Department of Health or any task force that may be created by reason of any impending danger, calamity or health issues.
- d. Develop portfolio of projects and initiatives where public-private partnerships or Tripartite Partnership are crucial in the implementation of the objectives of this Code.
- e. Actively support and participate in the promotion of attractions like local festivals, fiestas, foundation/araw celebrations, tourist destinations, local products, artistic programs and other cultural activities.

**SECTION 14. SECRETARIAT AND FUNCTIONS.** The Tourism Division under the Provincial Administrator's Office shall serve as the Council's secretariat and shall:

- a. Facilitate meetings.
- b. Provide minutes of meetings to the members of the Council.

## **ARTICLE V INFORMATION DISSEMINATION**

**SECTION 15. ROLE OF THE PROVINCIAL INFORMATION, COMMUNICATION AND KNOWLEDGE MANAGEMENT OFFICE (PICKMO).** The PICKMO or its surviving entity shall strategically and actively use the mass media to advance information about the tourism program of the province and promote its tourist destinations as well as our culture. It shall provide accurate, timely, factual and relevant information to enable citizens to participate through information materials in radio or televisions, films and social media, including the conduct of interpersonal communication.

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**ARTICLE VI  
TOURISM AND INDIGENOUS PEOPLES MONTH**

**SECTION 16. CELEBRATION OF TOURISM AND INDIGENOUS PEOPLE'S MONTH.** In observance of national laws and issuances, the following events shall be celebrated:

- a. The Tourism Month shall be celebrated every September of the year pursuant to the Tourism Act of 2009 and the Provincial Administrator's Office (PADO)- Tourism Division shall prepare activities to highlight the achievement of tourism programs.
- b. Likewise, the Indigenous Peoples Month shall be celebrated every October of the year pursuant to Presidential Proclamation No. 1906, series of 2009. The PADO-Tourism Division shall coordinate with the provincial office of the Indigenous Peoples Mandatory Representative (IPMR) for the activities to promote and preserve culture and heritage.

**ARTICLE VII  
TOURISM RESOURCES**

**SECTION 17. INVENTORY AND CLASSIFICATION OF RESOURCES.** The Council assisted by the PADO Division shall conduct periodic inventory of identified available tourism enterprises for classification purposes by DOT and DENR.

**SECTION 18. PRIORITIZED TOURISM DESTINATION.** Tourism destinations that are given higher classification category by the DOT and DENR shall be included among the priority for promotion and marketing.

**ARTICLE VIII  
ACCREDITATION**

**SECTION 19. CERTIFICATION OF ACCREDITATION.** All LGUs of Davao del Norte shall ensure that all tourism enterprises operating within the area must first secure a certification from the Department of Tourism (DOT) that officially recognizes it as having complied with the minimum standards for the operation of tourism facilities and services before it may renew its business permit.

Likewise, accommodation establishments that offer *halal* cuisine must have Halal Accreditation from the Philippine Halal Development and Accreditation Board of National Commission on Muslim Filipinos (NCMF). All accreditation certificates must be posted in a conspicuous place of the establishment.

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**SECTION 20. INSPECTION.** A composite team consisting of personnel from the Department of Tourism, PADO Tourism Division and concerned LGU shall audit the establishment to determine its classification and institute and rating system based on the quality of the facilities and services being provided.

**SECTION 21. ACCREDITATION CRITERIA.** The Council shall adopt the following accreditation criteria for primary tourism enterprises, as mandated by the DOT:

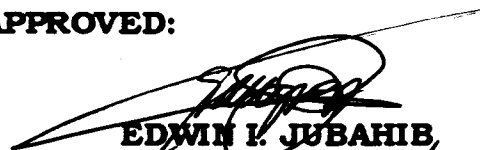
- a. **One Star:** twenty five percent (25%) to forty percent (40%) achievement (251 to 400 points) – these enterprises have limited range of facilities and services which are affordable to budget minded travelers.
- b. **Two Stars:** forty one percent (41%) to fifty five percent (55%) achievement (401 to 550 points) – these enterprises offer expanded facilities and higher level of comfort to travelers.
- c. **Three Stars:** fifty six percent (56%) to seventy percent (70%) achievement (551 to 700 points) – these enterprises offer a very good level of accommodation including facilities and services.
- d. **Four Stars:** seventy one percent (71%) to eighty five percent (85%) achievement (701 to 850 points) - these enterprises are upscale in all areas.
- e. **Five Stars:** eighty six percent (86%) to one hundred percent (100%) achievement (851 to 1,000 points) – these enterprises are world class.

## **ARTICLE IX TOURISM STATISTICS AND DATABANKING**

**SECTION 22. STATISTICS AND DATABANKING.** The Council shall enjoin the LGUs to develop tourism statistics necessary for management decision making. Likewise, it shall gather the following information as inputs for the formulation of the National Tourism Development Plan (NTDP):

- a. **Visitor Sample Survey.** It is a personal interview of randomly selected inbound visitors' preferences, ratings, psychographic profile, as well as length of stay and expenditures.
- b. **Meetings, Incentives, Conventions and Exhibitions (MICE).** This is a type of business tourism which is also referred to as convention industry and linked with the events industry. The statistics on business expenditures such as those on average daily expenditure of delegates, host associations and exhibitors shall be gathered by the LGU. Non-monetary data such as the number of delegates, length of stay, and duration of the events shall also be provided in the tourism statistics.

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- c. **Arrival Card.** A document which is the primary source of information on the volume of inbound visitors in the city or municipality as well as personal profile of the visitor such as name, nationality purpose of visit, and others.

**SECTION 23. PERFORMANCE INDICATORS OF THE TOURISM INDUSTRY.** The following indicators may guide the LGU's in determining the performance of the tourism industry in the locality:

- a. Current state of the industry
- b. Challenges on the current system
- c. Impact of tourism to the locality

## **ARTICLE X MARKETING AND PROMOTION**

**SECTION 24. MARKETING AND PROMOTION OF DAVAO DEL NORTE.** The Provincial Government through the Tourism Division in partnership with the other government offices, broadcasting networks, news organizations, private individuals, groups, society and other stakeholders, shall market and promote Davao del Norte domestically and internationally as a major destination, highlighting the uniqueness and development of its tourism products and services, with the end view of increasing tourism arrivals and tourism investments by:

- a. Sales Missions, Caravan, Roadshow and Presentations
- b. Sales through travel agencies
- c. Travel Trade and Consumer Fairs
- d. Exhibitions and Events
- e. Tourism Advocacy Tour
- f. Press releases
- g. Social Media Promotions

By doing so, its promotion and marketing must be truthful, legal and with a sense of social and professional responsibility that conforms to the principles of fair competition.

## **ARTICLES XI INCENTIVES**

**SECTION 25. INCENTIVES AND INVESTORS.** In the grant of incentives, preference shall be given to large investors with great potential for local employment.

**APPROVED:**

  
**EDWIN I. JUBAHIE**  
Governor



**SECTION 26. INCENTIVES TO TOURISM ENTERPRISES.** Pursuant to Section 85(d), Chapter V of the Implementing Rules and Regulations (IRR) of Republic Act No. 9593, the Council shall encourage LGUs to provide incentives to tourism enterprises such as, but not limited to reduction in applicable real estate taxes and waivers of fees and charges.

**SECTION 27. SOCIAL RESPONSIBILITY INCENTIVE.** The Council shall encourage the LGUs to grant tax and other fee incentives to registered and DOT-accredited tourism enterprises for implementing the following:

- a. Environmental protection
- b. Cultural heritage conservation or restoration
- c. Sustainable livelihood programs for local communities
- d. Voluntary road widening/maintenance and asphaltting
- e. Minimum health standards
- f. Development of Halal cuisine
- g. Green Tourism

**ARTICLE XII  
COLLECTION OF FEES**

**SECTION 28. FORESHORE LEASE APPLICATION.** Foreshore Lease Application is the type of application covering foreshore lands, marshy lands and other lands bordering bodies of water for commercial, industrial or other productive purposes other than agriculture.

- a. A fee is collected in the amount of Three Hundred Pesos (P 300.00) for the Foreshore Lease Certificate issued by the Provincial Tourism Office in line with the amended Provincial Tax Ordinance No. 2020-003, known as the revised Revenue Code of the Province of Davao del Norte.

**ARTICLE XIII  
ASSESSMENT, MONITORING AND REPORTING**

**SECTION 29. MANDATORY SUBMISSION OF REPORTS.** All tourism enterprises operating accommodation establishments are hereby mandated to submit a monthly report of tourist arrivals within ten (10) days of the following month to the respective City or Municipality that shall then forward the documents to the Council Secretariat.

**APPROVED:**

  
**EDWIN I. JUBAHIB**  
Governor

- a. The Council's Secretariat shall every quarter, submit to the Council its assessment, evaluation and monitoring report of all tourism activities.
- b. All tourism enterprises are hereby mandated to submit the needed reports and non-compliance thereof shall be a ground for the revocation of business permit.

**ARTICLE XIV  
CREATION OF TOURISM OFFICES IN THE LGUs**

**SECTION 30. CREATION OF TOURISM OFFICES IN THE LGUs.**

The LGUs are encouraged to institutionalize their own tourism offices by providing permanent personnel that will link to other tourism offices, the Council and private sectors and encourage them to play a more active role in defining the direction of tourism in their own City or Municipality.

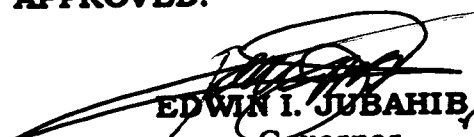
- a. The LGUs, through their respective tourism offices, shall endeavor to make partnership with the academe in the promotion of tourism programs and projects. It may aim to provide the students the opportunity to widen their knowledge about the Province through low-budgeted tour packages or engage them in the conduct of research and other data banking activities for tourism.

**ARTICLE XV  
FUNDING REQUIRMENTS**

**SECTION 31. REGULAR BUDGET.** The component Local Government Units of the Province of Davao del Norte shall regularly appropriate sufficient funds for Tourism, Culture and Arts related programs and projects.

**SECTION 32. FUNDING FROM OTHER SOURCES.** The LGU may secure funding from other sources for the implementation of tourism-related programs and projects subject to accounting and auditing rules and regulations.

**APPROVED:**

  
**EDWIN I. JUBAHIB,**  
Governor

**ARTICLE XVI  
TOURISM RESPONSE AND RECOVERY PLAN**

**SECTION 33. RESPONSE AND RECOVERY PLAN.** The Province of Davao del Norte through its Tourism Division has adopted the salient points of the Tourism Response and Recovery Plan (TRRP) of the Department of Tourism to address and mitigate the immediate and prolonged impacts of Covid-19 pandemic on the tourism industry with emphasis on capacitated workforce, sustained businesses and protected vulnerable groups.

**ARTICLE XVII  
OTHER GENERAL PROVISIONS**

**SECTION 34. IMPLEMENTING RULES AND REGULATIONS.** The Provincial Tourism, Culture and Arts Council shall issue rules and regulations for not more than fifteen (15) days upon its approval for the effective implementation of this Code.

**SECTION 35. SEPARABILITY CLAUSE.** If for any reason or reasons, any part of provision of this Code shall be declared invalid or unconstitutional, other parts or provisions hereof which are not affected thereby shall continue to be in full force and effect.


**SECTION 36. REPEALING CLAUSE.** All Ordinances, Executive Orders, Memorandum Circulars and Rules inconsistent with the provisions of this ordinance are hereby modified or repealed accordingly.

**ARTICLE XVIII  
EFFECTIVITY OF ORDINANCE**

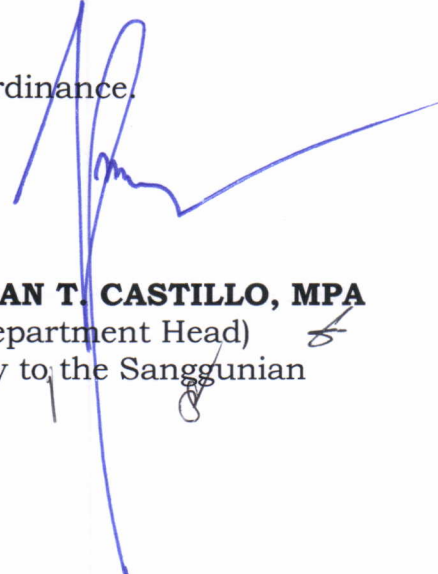
**SECTION 37. EFFECTIVITY CLAUSE.** This Code shall take effect Fifteen (15) days after publication in a newspaper of local circulation in the Province of Davao del Norte.

**ENACTED** this 15<sup>th</sup> day of November 2021 at Mankilam, Tagum City, Davao del Norte.

**APPROVED:**

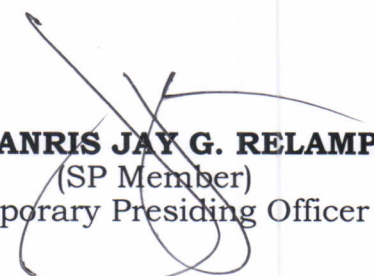
  
**EDWIN I. JUBAHIB**  
Governor

I hereby certify to the correctness of this ordinance.



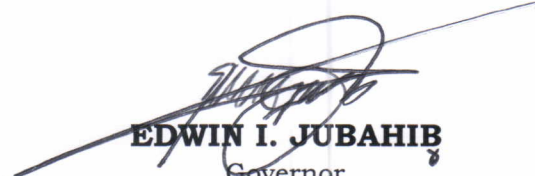
**DENNIS DEAN T. CASTILLO, MPA**  
(PG Department Head)  
Secretary to the Sanggunian

**ATTESTED:**



**ATTY. JANRIS JAY G. RELAMPAGOS**  
(SP Member)  
Temporary Presiding Officer

**APPROVED:**



**EDWIN I. JUBAHIB**  
Governor  
DEC 16 2021  
Date Signed