



REPUBLIC OF THE PHILIPPINES
SANGGUNIANG PANLUNGSOD
CITY OF MANDALUYONG
ISO 9001:2015 CERTIFIED



ORDINANCE NO. 877, S-2022

**AN ORDINANCE ESTABLISHING THE
TOURISM CODE OF THE CITY
OF MANDALUYONG**

WHEREAS, Republic Act No. 9593 otherwise known as the Tourism Act of 2009 entitled: "An Act Declaring a National Policy for Tourism as Engine of Investment, Employment, Growth and National Development, and Strengthening the Department of Tourism and its Attached Agencies to Effectively and Efficiently Implement that Policy, and Appropriating Funds Therefor";

WHEREAS, in compliance to Section 17 (4), in relation to (2)(xi) of Republic Act No. 7160, otherwise known as the Local Government Code of 1991 that grants the local government units the power to deliver and/or regulate basic services and facilities including primary and secondary tourism enterprises;

WHEREAS, the regulation of tourism enterprises by the local government units are still governed by the Tourism Code of 1980, with its related implementing rules and regulations even if they have subsequently been revised in 1992 for accommodations and tourism related establishments or secondary tourism enterprises, 1995 for travel and tour agencies, 2000 for frontline and transport services;

WHEREAS, Section 14 (c) in subchapter II-A of Republic Act 9593 instructs the office of Tourism Standards and Regulations to develop and enforce a comprehensive system of mandatory accreditation of primary tourism enterprises and voluntary accreditation of secondary tourism enterprises, in accordance with prescribed guidelines and standards;

WHEREAS, the City of Mandaluyong with its infrastructure; resources, traditions, cultural and tourism properties can be the foundation for tourism development and promotion;

WHEREAS, the tourism industry in the City of Mandaluyong, if fully developed, can generate revenue, investment and employment for economic stability;

WHEREAS, the City Council of Mandaluyong, ensuring the security, enjoyment and well-being of tourist as well as enhancing the quality of services offered by all tourism-oriented or related business establishment within its jurisdiction, has prompted the creation of this Ordinance;

NOW THEREFORE, be it ordained by the City Council in session duly assembled that:

CHAPTER 1

GENERAL PROVISIONS

- SECTION 1. TITLE - This Ordinance shall be known as the "CITY OF MANDALUYONG TOURISM CODE."
- SECTION 2. SCOPE - This Ordinance shall govern and regulate tourism development and promotion programs of and within the City, including the licensing, registration and supervision of the operations of tourism oriented/related establishments.
- SECTION 3. APPLICATION - This Ordinance shall apply to all such resorts, malls, hotels, restaurants, tourist inns, pension houses, motorist hotels, homestays, dormitories, apartelle, travel agencies, operators/organizers, tour guides, professional congress, transport units, organizations, and other similar tourism oriented/related establishments whether their operation is domestic or international in scope.
- SECTION 4. CONSTRUCTION - These implementing rules and regulations shall be liberally construed in order to promote and implement its objectives.
- SECTION 5. DEFINITIONS - For purposes of this Ordinance, the terms and phrases enumerated in this Section shall be construed or interpreted to mean or refer to, as follows:
- 5.1. AIR BNB (or "Air Bed and Breakfast") - Online marketplace for lodging, primarily homestays for vacation rentals, and tourism activities. The platform is accessible via website and mobile app;
 - 5.2. APARTMENT, HOTEL, APARTELLE - Any building or edifice containing several independent and furnished or semi-furnished apartments, regularly leased to tourists and travelers for a period of not less than one day;
 - 5.3. ASSOCIATION - An organization of persons/entities having the subject of tourism as a common interest;

- 5.4. BAR (KTV/Videoke), COCKTAIL LOUNGE, GARDENS/NIGHT OR DAY CLUBS, SUPER CLUBS - Bars include any place where intoxicating and fermented liquors or malt are sold, even without food, where services of hired hostesses, Guest Relation Officers and/or waitresses are employed and where customers may dance to music rendered by a regular dance orchestra or musicians hired for the purpose; otherwise, the place shall be classified as a dance hall or night or day club.

A cocktail lounge or beer garden is considered a bar even if there are no hostesses or waitresses to entertain customers.

Night or day club includes any place frequented at night-time or daytime as the case may be, where patrons are served food and drinks and are allowed to dance with their partners or with professional hostesses furnished by the management.

Super Club includes any establishments where food and drinks are served to its patrons, to the accompaniment of music furnished by such establishment with musicians under its employ or by jukebox players installed within its premises, and where patrons are allowed to dance only with partners who they bring along.

- 5.5. BINGO HOUSE – a place or establishment for a game in which players mark off numbers on cards as the numbers are drawn randomly by a caller, the first person to mark off five numbers in a row or another required pattern is the winner for a fortune or prize.
- 5.6. BPLD - Business Permits and Licensing Department;
- 5.7. CASINO – A building or room used for legalized game and gambling such as card games, slot machines, roulettes, and any other means for social amusement.
- 5.8. CCATD - City Cultural Affairs and Tourism Department;
- 5.9. CITY - The City Government of Mandaluyong;
- 5.10. COCKFIGHTING ARENA – A commercial establishment wherein inside thereof is an enclosed circular area for cockfights. The arena is surrounded by seats, where cockfight aficionados watch and bettors place their bets on two roosters for a game or fight.

- 5.11. CODE - Local Government Code of 1991;
- 5.12. CONVENIENCE STORE – refers to any 24 hours service consumer retail outlet;
- 5.13. DEPARTMENT STORE - A store which carries several lines of merchandises in separate sections, including one devoted to native/Filipiniana items;
- 5.14. DOT - Department of Tourism;
- 5.15. GYM - Refers to fitness centers;
- 5.16. HOTEL - Any building, edifice or premises or a completely independent part thereof, which is used for the regular reception, accommodation or lodging of travelers or tourists and the provision of services incidental thereto for a fee;
- 5.17. INBOUND TOUR - A tour to or of the Philippines or any place within the country;
- 5.18. LICENSE - The privilege or authority granted by the BPLD to own, operate, manage, and maintain a tourist-related tourist-oriented establishment;
- 5.19. MALLS – An enclosed building where different kinds of shopping establishments are located;
- 5.20. MUSEUM - Refers to establishments, building, room for showcasing historical artifacts, works and scientific objects;
- 5.21 OFF-COCK BETTING STATION – a betting station outside the cockpit arena where bettors watch the cockfight from a TV monitor and place bets in a satellite branch of the main arena.
- 5.22. OUTBOUND TOUR - A tour or any other place outside of the Philippines;
- 5.23. PENSION HOUSE - A private, or family operated tourist boarding house or tourist lodging house, employing non-professional domestic helpers, regularly catering to tourists and/or travelers, containing several independent lettable rooms, providing common facilities such as toilets, bathroom/showers, living and dining rooms and/or kitchen and where a combination of board and lodging may be provided;

- 5.24. **REGISTRATION** - The listing of tourism-oriented and tourism-related establishments, including those offering training and promotions programs, after such establishments and facilities shall have been certified by the City Government, through the CCATD as having conformed with the minimum standards/requirements in accordance with this Ordinance;
- 5.25. **RESORTS/MEMBERSHIP SPA/CLUBHOUSES** - A place that is a popular destination for vacations or recreation, or which is frequented for a particular purpose;
- 5.26. **REST AREAS IN GASOLINE STATIONS** - An area within a gasoline station designed to provide comfort and convenience to commuters, with groceries and food outlets;
- 5.27. **RESTAURANT** - Any establishment offering to the public regular and special meals or menu, cooked foods and short orders, beverages and drinks;
- 5.28. **SHOP** - Any small retail establishment specializing in Filipiniana or other specialized items and souvenir products;
- 5.29. **SPA** - Refers to an establishment which offers complete relaxation to its clients for beauty and wellness;
- 5.30. **SPORTS AND RECREATIONAL FACILITIES** - Include swimming pools, bowling lanes, tennis courts, pelota or squash courts, golf courses, and similar facilities forming part of the facilities;
- 5.31. **TENANT** - Any tourist or traveler who is registered as paying occupant of any apartment-hotel;
- 5.32. **THEATERS** - Refers to establishments used as venue for the performing arts;
- 5.33. **THEATERS & CINEMAS** - A public building, room or other place where dramatic representations, motion pictures are shown;

- 5.34. **TOUR GUIDE** - An individual who is licensed by the BPLD and registered with CCATD to guide tourists, both foreign and domestic, for a fee, commission or any other form of lawful remuneration;
- 5.35. **TOUR SERVICES** - refers to tourist transport, business operation by air, sea or land either on character or regular run;
- 5.36. **TOURISM TRAINING PROGRAM** - Any training program that caters or is involved in the tourism industry;
- 5.37. **TOURISM-ORIENTED ESTABLISHMENT** - Any establishment which is registered and licensed by the appropriate offices of the City Government of Mandaluyong which caters directly to tourists, whether domestic or foreign;
- 5.38. **TOURISM-RELATED ESTABLISHMENT** - Any establishment or enterprise which may or may not be registered with the CCATD but which caters incidentally to both foreign and local travelers and tourists;
- 5.39. **TOURISM-RELATED PROGRAM** - Any program, activity or affair that caters to tourists or is aimed to attract tourists;
- 5.40. **TOURIST LAND TRANSPORT UNIT** - Any vehicle, carriage or conveyance moving on wheels or runners used on public roads and highways and catering to tourists;
- 5.41. **TOURIST MANPOWER TRAINING CENTER** - A center conducting training for the manpower requirements of the tourism industry;
- 5.42. **TOURIST TRANSPORT OPERATOR** - A person or entity which may either be a single proprietorship, partnership or corporation, regularly engaged in providing for a fee or lawful consideration, tourist transport services as herein after defined, either on charter or regular run;
- 5.43. **TOURISTS INN** - A lodging establishment catering to local and foreign tourists not meeting the minimum requirements of an economy hotel;

5.44. TRAVEL AGENCY - An entity which may either be a single proprietorship, partnership or corporation regularly engaged in business of extending to individuals or groups, such services pertaining to documentation of travel papers, ticketing, sales and/or accommodation, handling and/or conduct of tours within or outside the Philippines whether or not for a fee, commission or any form of compensation;

5.45. TRAVEL CONSULTANTS - Any establishment that act as a consultancy firm, pertaining to immigration and facilitation of travel documents.

CHAPTER II PRIMARY AND SECONDARY TOURISM ESTABLISHMENTS

SECTION 6. PRIMARY TOURISM ENTERPRISES - Facilities and services that are directly related to tourism. The following primary tourism enterprises shall be periodically required to obtain accreditation from the DOT so as to ensure the quality of its facilities and standard services:

1. ACCOMMODATIONS

- a. Hotel
- b. Resort
- c. Apartment Hotel
- d. Tourist Inn
- e. Pension House
- f. Motel
- g. Homestay

2. TRAVEL AND TOUR SERVICES

- a. Travel and Tour Agencies
 1. Tour Operator
 2. Travel Agency
 3. Travel and Tour Agency
 4. Online Travel and Tour Agency

b. Tourist Transport Operator

1. Tourist Air Transport
2. Tourist Land Transport

3. MEETINGS, INCENTIVES, CONVENTIONS AND EXHIBITIONS (MICE)

- a. PCO/MICE Organizer
- b. MICE Facility/Venue

4. ECOTOURISM

- a. Ecoguide
- b. Ecolodge
- c. Ecotour Facility
- d. Ecotour Operator

5. TOURISM FRONTLINER

- a. Tour Guide

SECTION 7. SECONDARY TOURISM ENTERPRISES - Facilities and services that may be related to tourism. Accreditation shall be voluntary for the following:

1. HEALTH AND WELLNESS SERVICES

- a. Ambulatory Clinic
- b. Medical Concierge
- c. Spa
- d. Tertiary Hospital

2. TOURISM RELATED ENTERPRISES

- a. Agri-tourism Farm/Site
- b. Bingo
- c. Casinos
- d. Cockfighting Arenas
- e. Department Store/Shopping Mall/Specialty Shop
- f. Galleries
- g. Museum
- h. Off-Cockpit Betting Station
- i. Restaurant
- j. Tourism Entertainment Complex
- k. Tourism Recreational Facility
- l. Tourism Training Center/Institute
- m. Rest Areas / Restrooms

3. TOURISM FRONTLINER

a. Tourism Trainer

CHAPTER III SUPERVISION AND CONTROL

SECTION 8. THE OFFICE OF THE CITY MAYOR. - The City Mayor as the local chief executive shall be the chief operating officer of all tourism programs of the City of Mandaluyong. He/She shall designate the chairperson/s of all institutionalized government tourism programs which are observed and celebrated yearly or regularly in the City.

SECTION 9. THE CITY CULTURAL AFFAIRS AND TOURISM DEPARTMENT (CCATD). - For purposes of implementation of the provisions of this Ordinance, technical and administrative duties and functions shall be performed by the City Cultural Affairs and Tourism Department. It is tasked to formulate tourism related projects/programs in the City of Mandaluyong.

The CCATD shall perform the following functions:

- a.) Conduct registration of tourism-related/oriented establishments; tourists transport units, travel agencies, travel tour operators, accommodations and tour services;
- b.) Conduct registration of tours (Lakbay-Aral by schools, local government units, private corporations, etc.);
- c.) Require the use of tour guides for all registered tours;
- d.) Require accreditation of city tour guides;
- e.) Conduct seminars and trainings for tour guides personnel/staff of tourist oriented/related establishments, drivers of taxis, pedicabs, calesa, jeepneys, buses that conveys tourist;
- f.) Conduct tourist summits;
- g.) Conduct information dissemination on tourism awareness;
- h.) Design tour packages, provide incentive, freebies, brochures or kits for tourist;
- i.) Design and issue a Seal of Registration/Slogan for tourism establishments;
- j.) For in and behalf of the city government, solicit donations, grants, and other form of assistance in relation to the establishment, improvement and design of tourism related structures, facilities, programs, projects, and studies;
- k.) Perform other tasks in relation to tourism promotion and development; and
- l.) Conduct study related to tourists/tourism.

The Head of the City Cultural Affairs and Tourism Department (CCATD). Qualifications: shall work with the Office of the City Mayor on the promotion of tourism related projects. He shall be assisted by a City Tourism Officer who shall closely coordinate with different officers as regard to the implementation of tourism projects and programs in the City.

SECTION 10. THE COMMITTEE ON HISTORY, CULTURE AND TOURISM IN THE SANGGUNIANG PANLUNGSOD. – The Committee on History, Culture, Arts and Tourism shall be responsible for introducing legislative measures concerning the promotion of tourism in the City of Mandaluyong.

SECTION 11. ORGANIZATION FOR IMPLEMENTATION – For purposes of implementation of the provisions of this Ordinance, technical and administrative duties and functions shall be performed by the CCATD, the BPLD, the PESD, the City Council Committee on Tourism and Cultural Affairs and the Health Department.

SECTION 12. There is hereby created a Tourism Board/Council under the Office of the City Mayor which shall be composed of a Chairman, who shall be appointed by the City Mayor, and eight (8) members composed of the following:

1. Chairman, to be appointed by the Mayor
2. Chief, BPLD
3. City Council – Committee Chairman on History, Culture and Tourism
4. Chief, City Cultural Affairs and Tourism Department
5. City Health Officer
6. Mandaluyong City Police Officer
7. Chief, City Planning and Development Department (CPDD)
8. Chief, City Environmental and Management Department (CEMD)
9. Representative, Association of Tourism Establishments in Mandaluyong

The Tourism Board/Council shall meet regularly once a month and call for emergency meeting as the need arises in the presence of the Chairman and four (4) members who shall constitute a quorum and their acts shall be deemed as official. The Tourism Board/Council shall have the following duties and responsibilities.

- a.) Ratify all Certificates of Registration issued by CCATD to tourism establishments;

- b.) Exercise appellate jurisdiction on decisions or actions of the CCATD and BPLD on matters involving the issuances, renewal, revocation or denial of Certificates of Registration and/or License of Tourism Establishments, and other cases arising from the implementation of this Ordinance and shall resolve the same within fifteen (15) days from termination of the hearing. All orders or resolutions of the Board shall be appealable to the City Mayor whose decision is final and immediately executory;
- c.) When public interest requires and upon recommendation of the CCATD, authorize special inspections by the composite inspection team or any member thereof, to tourism establishments;
- d.) Formulate and recommend to the City Mayor, policies and program aimed at promoting the tourism industry in Mandaluyong City;
- e.) Perform other duties and responsibilities as may be required by law or this Ordinance.

CHAPTER IV REGISTRATION AND LICENSING

SECTION 13. REGISTRATION AND LICENSING OF TOURISM-ORIENTED ESTABLISHMENT, MANDATORY- No person, natural or juridical, partnership, corporation, single proprietorship or any other entity shall be allowed to keep, manage or operate any building, edifice or premises, or a completely independent part thereof, for the purpose of engaging in a tourist oriented business without having first secured from the City Cultural Affairs and Tourism Department (CCATD) a Certificate of Registration of establishment and a valid license from the Business Permit and Licensing Department (BPLD).

- 13.1 All tourism-oriented business establishments catering directly to domestic and foreign tourism, desiring to operate within the jurisdiction of the City of Mandaluyong shall be subject to an evaluation, site inspection and should meet the requirements, standard and proper documentation promulgated by the Cultural Affairs and Tourism Department in coordination with the Department of Tourism (DOT), before they can secure a Certificate of Registration and a valid business permit;

13.2 Upon the effectivity and implementation of this Ordinance, all tourism oriented business establishments that are already operating within the jurisdiction of the City of Mandaluyong shall also be subject to an evaluation, site inspection, based on the requirements, standard and proper documentation promulgated by the Cultural Affairs and Tourism Department, in coordination with the Department of Tourism (DOT), prior to the registration of their establishment.

13.3 All tourism business establishment that failed to meet the requirements, standard and proper documentation upon evaluation, shall be given a prescribed period to comply. Failure to comply upon the expiration of the prescribed period, it shall not be allowed to register and shall result in the cancellation of their business permit.

13.4 Certificate of Registration/business license shall be renewable on an annual basis. It shall be valid until revoked or cancelled for a reasonable cost. If the tourism oriented or related business establishment concerned has ceased operating for at least six (6) months, it shall re-apply for registration.

13.5 All registered and licensed Tourism and related business establishments located within the City of Mandaluyong shall conform with the programs, guidelines, rules promulgated by the City Cultural Affairs and Tourism Department in coordination with the Department of Tourism (DOT).

SECTION 14. DOCUMENTS REQUIRED TO SUPPORT APPLICATION FOR REGISTRATION AND LICENSE

Any person, partnership, corporation or other entity desiring to establish, maintain and/or operate a tourism-oriented establishment shall accomplish in four (4) copies of the following documents depending on the type of operations and file with the CCATD/BPLD as the case may be, the application for registration and license prescribed for such purposes.

14.1 RESORT / HOTEL

14.1.1 In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its By-laws, or Articles of Partnership and Amendments thereof, duly registered with the Securities and Exchange Commission and Business Name Certificate.

In the case of single proprietorship, Business Name Certificate and Amendments thereof, if any.

14.1.2 A list of the names of all officials and employees and their respective designation, nationality, home address, for alien personnel, valid visa from Commission of Immigration and

Deportation and the proper permit from the Department of Labor and Employment shall be submitted.

14.1.3 Annual General Liability Insurance for guests in the minimum amount of Php 20,000.00 and the maximum of Php 100,000.00.

14.1.4 List of proprietors, principal owners, major partners, major stockholders, controlling members, their nationalities, capital contributions, stock of Per 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 their total value of the outstanding non-voting stock; and in all cases, the list shall be accomplished by proof of their financial capacity such as sworn statements of assets and liabilities, and income tax return.

14.1.5 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 designators, nationalities, home address, and accompanied by a passport size photo of each of them.

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

14.2 TOURIST INN/ APARTELLE /AIR BNB

- 14.2.1 In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its by-laws or Articles of Partnership and amendments thereof, duly registered with the Securities and Exchange Commission and Business Name Certificate.
- 14.2.2 A list of the names of all officials and employees and their respective designations, nationalities and their home address; and for alien personnel, valid visa from the Commission on Immigration and Deportation and the proper permit from the Department of Labor and Employment.
- 14.2.3 Annual General Liability Insurance for guests in the Apartelle / Inn of not less than 30,000.00.

14.3 TRAVEL AGENCY

- 14.3.1 A copy of a Certificate of Registration with the Securities and Exchange Commission (SEC) with a total paid up capital of Five Hundred Thousand Pesos (Php 500,000.00);
- 14.3.2 A copy of the Registration of their business name, if sole proprietorship;
- 14.3.3 A two-year audited Financial Statement for those who are already existing, and projected Financial Statement for those who are about to establish;
- 14.3.4 Surety Bond in the amount of Five Hundred Thousand Pesos (Php 500,000.00) issued by a duly accredited bonding company of good standing in favor of the City and conditioned to answer for any and all liabilities resulting from or incurred in the course of travel and tour operator, which shall be valid for one (1) year from the date of issuance of the license;
- 14.3.5 Complete list of personnel together with one by one (1x1) photo of each and notarized certification of the general manager that they are without criminal record.

FOR INBOUND – in the case of the manager, proof that he has at least three (3) years of experience in tour operations or has earned a degree of Bachelor of Science in Tourism or has successfully completed a tour operator course;

Proof that at least two (2) of the permanent staff have at least two (2) years experience in tour operations.

FOR OUTBOUND – In the case of the manager, proof that he has at least (3) years' experience in travel agency operation or has earned a degree in Bachelor of Science in Tourism or has successfully completed a Travel Agency Management Course.

Proof that at least (2) of the permanent staff have completed ticketing and reservation course and have at least (1) year work experience.

- 14.3.6 List of the names and addresses of Tour Guides and Travel Representative;
- 14.3.7 For alien personnel, valid visa from the Bureau of Immigration and Deportation and the proper working permit from the Department of Labor and Employment;
- 14.3.8 Contract of Lease or Contract to Lease the office space intended for the use of the agency and in case if the owner of the building or the premises concerned, proof of ownership must be submitted;
- 14.3.9 A Board Resolution designating the person authorized to assign and transact business with CCATD in behalf of the applicant; and
- 14.3.10 Such other documents the CCATD and BPLD may require pursuant to existing laws, ordinances and other legal issuances.

14.4 TRAVEL CONSULTANTS

Same as with the requirements stipulated in a travel agency except for the amount of total paid up capital which is Two Hundred Fifty Thousand Pesos (Php250,000.00).

14.4.1 Additional Requirements for Travel Agency using a Motor Vehicle – No travel agency shall use any motor vehicle while conducting tours or transporting tourists, unless such motor vehicle is registered with CCATD and sporting a tourist plate.

14.4.2 Establishment of Branch - Before the establishment or operation of a branch, the travel agency shall give notice to and secure prior approval from CCATD.

14.4.3 Documents to be submitted in Support of an Application to establish an operative branch.

14.4.3.1 Resolution signed by all members of the Board of Directors, approving its establishment (or authorizing its continuation, if renewal) and designating the person authorized to sign the application;

14.4.3.2 Affidavit executed by the General Manager of the main office acknowledging the existence of said office, assuming full responsibility of its operations, and certifying that it is not managed or operated by persons/entities other than the duly accredited employees or officer of the office;

14.4.3.3 List of personnel, and their respective designation, citizenship, home address and one (1) 1x1 photo each, together with notarized certification by the General Manager of the Main Office that they are without criminal record;

- 14.4.3.4 Surety Bond of One Hundred Thousand Pesos (Php100,000.00) issued by a duly licensed insurance or bonding company of good standing for the said purpose.

14.5 TOUR GUIDE

- 14.5.1 Proof that the applicant has passed the seminar for tour guides duly conducted by the Department of Tourism or other government agencies duly authorized by the Department to conduct seminar, provided however, that this requirement may be waived by the City with the concurrence of the Department of Tourism where the applicant possesses special academic or professional qualification relevant to tourism.
- 14.5.2 Certificate of good health issued by any duly accredited government Physician.
- 14.5.3 Clearance from the National Bureau of Investigation (NBI).
- 14.5.4 In the case of alien applicants, proof of employment with duly licensed agency, permit to work or registration certificate from the Department of Labor and Employment, and a certificate by the proper official of the applicant to the effect that the law grants reciprocal rights to Filipino Citizens to engage in tour guiding which must be properly authenticated.
- 14.5.5 Latest Income Tax Return.

14.6 TOURIST TRANSPORT OPERATION.

- 14.6.1 Documents required to support application for license to operate.

14.6.1.1 Business name certificate and all amendments thereto, if any, in the case of a corporation or partnership, a certified true copy of the Articles of Incorporation, its By-laws or Articles of Partnership and amendments thereto, if any, duly registered with the Securities and Exchange Commission;

14.6.1.2 Proof of ownership or lease over an area adequate to serve as maintenance depot and garage for all its units;

14.6.1.3 A list of names of all officials and employees and their respective designation, nationalities, home address, certified correct under oath by the secretary of the firm or the proprietor himself;

14.6.1.4 Surety Bond in the amount of Ten Thousand Pesos (Php10,000.00) issued by a duly licensed insurance or bonding company of good standing in favor of the Mandaluyong City Government and conditioned to answer for any and all liabilities resulting from or incurred in the course of the tourist transport; and

14.6.1.5 Such other papers or documents as may be required from time to time by CCATD, pursuant to existing laws, ordinances and other legal issuances;

14.6.2 Documents Required to Support Application for Registration of Vehicle as Tourist Transport

14.6.2.1 Certificate of Inspection by CCATD for the LTO registration of the Tourist Transport;

14.6.2.2 A copy of the LTFRB (formerly the Board of Transportation) Certificate of Public Conveyance franchise or authorization;

- 14.6.2.3 A copy of the Transportation rates as approved by the LTFRB;
- 14.6.2.4 A compulsory motor vehicle liability insurance at the prevailing rate;
- 14.6.2.5 Pictures of the vehicle showing the side, back and front imprinted at its rear and sides, respectively; and
- 14.6.2.6 Such other papers and documents as may be required from time to time by CCATD, pursuant to existing laws, ordinances and other legal issuances.

14.7 TOURISM RELATED ESTABLISHMENTS

- 14.7.1 In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its by-laws, or Articles of Partnership and amendments thereof, duly registered with the Securities and Exchange Commission, and Business Name Certificate, in case of single proprietorship, business name Certificate and amendments thereof, if any;
- 14.7.2 List of the names of all officials and employees and addresses; for alien Personnel – valid visa from the Bureau of Immigration and the proper Permit from the Department of Labor and Employment;
- 14.7.3 Such other requirements as may be requested and/or deemed necessary by CCATD, BPLD, and other implementing offices/departments

Establishments catering exclusively to international tourists with offices in the City of Mandaluyong shall also be required to register with CCATD. However, they need not apply for accreditation/re-accreditation.

CHAPTER V
COMPOSITE TEAM

- SECTION 15. COMPOSITE INSPECTION TEAM – The Composite Inspection Team of the BPLD, representative from the Health Department and at least one (1) appointed representative from the CCATD, or those deputized by the City Mayor should conduct the necessary site inspection.
- SECTION 16. FUNCTIONS OF THE COMPOSITE INSPECTION TEAMS – For all establishments already in operation, the Composite Inspection Teams shall have exclusive authority to conduct inspection for purposes of renewal of license. For new establishments, the normal process of requiring the clearances and recommendations of the different technical departments is required.
- SECTION 17. FREQUENCY AND TIME OF REGULAR INSPECTIONS - Inspection shall be made every quarter.
- SECTION 18. SPECIAL INSPECTIONS - When public interest so requires, the Tourism Council/Board, upon recommendation of CCATD, may authorize the Composite Inspection Teams or any member or members thereof, to conduct special inspection.
- SECTION 19. CHECKLIST TO BE ACCOMPLISHED DURING INSPECTION - CCATD shall provide the necessary checklist to be accomplished by all team/s in carrying out its inspection. All findings and/or observations of the team to be indicated in the checklist should be made in the presence of an authorized representative of the establishments and duly signed/noted by the said authorized representative.
- SECTION 20. REPORT OF THE INSPECTION TEAM/S - Within five (5) working days from the date of inspection, the team leader shall submit a report of its findings and/or recommendation to the CCATD Head.

CHAPTER VI
ISSUANCE/RENEWAL OF CERTIFICATE OF REGISTRATION,
FEES AND CHARGES

- SECTION 21. REGISTRATION - A registration fee shall be imposed on all tourism establishments, whether operating as principal, branch or extension office in the City payable as follows and without prejudice to the collection of taxes, fees and surcharges imposed under existing laws, ordinances regulations and other local issuances. An annual registration shall be imposed on all:

19.1	Hotels/Resorts	2,000.00
19.2	Tourist Inns & Pension House & Air BNB	1,000.00
19.3	Travel Agency	3,000.00
19.4	Tour Guides	300.00
19.5	Tourism-Related Establishment	1,000.00
19.6	Apartelle/Motels	1,000.00

SECTION 22. ISSUANCE OF CERTIFICATION/LICENSE AND STICKERS - After having determined that all requirements set forth in the proceeding sections have been satisfied and/or completed by the applicant, the CCATD and BPLD shall issue the corresponding Certificate of Registration, License and sticker within seven (7) working days after the receipt of application.

SECTION 23. VALIDITY OF CERTIFICATE OF REGISTRATION - The Certificate of Registration and license of tourism-oriented and tourism-related establishments shall be valid until revoked or cancelled for a valid cause. If the tourism oriented and/or tourism-related establishments concerned has ceased operation for at least six (6) months, it shall reapply for registration.

EXCEPT IN CASES WHERE THE CITY CONDONES THE NON-OPERATION DUE TO ACTS OF GOD, FORCE MAJEURE OR PANDEMIC. In which case, applicant must present proof that he/she suffered losses and forced for cease operation for more than the prescribed period mentioned above.

SECTION 24. DOCUMENTS/REQUIREMENTS TO BE SUBMITTED FOR THE RENEWAL OF LICENSE - Application for the renewal of license shall be supported by the following documents:

- 24.1 A copy of the amended Articles of Incorporation or Articles of Partnership and By-Laws, if any;
- 24.2 List and information sheets of additional personnel, if any, or any change in the manpower complements;
- 24.3 Latest Income Tax Return and Audited Financial Statements covering the proceeding year's operation, provided, that if this requirement is not available at the time of renewal, the name shall be submitted not later than April 30 of the current year;
- 24.4 A resolution of the Board of Directors authorizing the continuation of business;

24.5 Proof of renewal of General Liability Insurance (additional requirements for resort and tourist/apartelle);

24.6 Renewal of Surety Bond;

24.7 Barangay Clearance.

CHAPTER VII
GROUNDS FOR THE CLOSURE OF TOURISM ESTABLISHMENTS,
IMPOSITION OF FINES, FORFEITURE OF BOND, SUSPENSION,
CANCELLATION AND/OR NON-RENEWAL OF LICENSE

SECTION 25. GROUNDS FOR THE CLOSURE OF TOURISM ESTABLISHMENTS,
IMPOSITION OF FINES, FORFEITURE OF BOND, SUSPENSION,
CANCELLATION AND/OR NON-RENEWAL OF LICENSE

- 25.1 Making any false declaration or statements or making use of any such Declaration or statement of any document containing the same committing fraud or any act of misrepresentation for the purpose of obtaining the issuance, grant or renewal of any certificate of registration/accreditation/re-accreditation or license;
- 25.2 Failure to comply with or contravene any of the condition set forth in the license;
- 25.3 Failure to meet the standards and requirements for the operation of tourism establishments, as prescribed in these rules;
- 25.4 Serious physical injury or loss of life of any guest due to the fault or negligence of its official or employee (For resort/ hotel/ tourist inn/ apartelle/ other tourism-related establishments);
- 25.5 Allowing or permitting the tourism establishment, including any of its facilities, to be used for illegal, immoral, illicit activities; such as illegal gambling, prostitution, etc. (for resort/ hotel/ tourist inn/ apartelle/ other related establishments); managers and/or operators shall exert all possible efforts not to permit a person whom they know to be drunk and/or have reason to believe to be either a prostitute, a pedophile or a bad character to occupy any room 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.

- 25.6 Violation of any of the conditions of the LTFRB franchise (for tourist transport operation);
- 25.7 Tolerance of gross misconduct, discourtesy, dishonest, or misrepresentation and /or fraudulent solicitation of business committed by any of the officers or employees against their clients to the detriment of the tourism industry;
- 25.8 Willful violation of agreements and/or contracts entered into by the tourism establishment and its clients;
- 25.9 Failure to replace or renew the Surety Bond within fifteen (15) days from the date when said bond is ordered, forfeited, or confiscated in accordance with these rules or cancelled and/or revoked for whatever cause (in case of travel agency).

CHAPTER VIII
CERTIFICATE OF REGISTRATION, ENTRIES IN THE REGISTRY AND
INCIDENTS IN A TOURISM RELATED ESTABLISHMENT

SECTION 26. NON-TRANSFERABILITY OF CERTIFICATE OF REGISTRATION/LICENSE -The Certificate of Registration and license is a matter of privilege and may be issued only to qualified applicants. Accordingly, no owner and/or operator shall transfer or alienate in any manner the said certificate and license.

SECTION 27. TRANSFER OF CERTIFICATE OR REGISTERED/LICENSE AND STICKERS - The Certificate of Registration and license shall be displayed in a conspicuous area in their place of business. Stickers shall be posted in entrances/doors/gates of such establishments for easy identification purposes.

SECTION 28. REGISTRY - Resort/Hotel/Apartelle/Tourist Inn/Pension House/Lodge shall keep a registry or record book. All guests/visitors seeking accommodations shall be required to register the following particulars in the registry and/or record book, with the following details:

- 28.1 His / Her full name;
- 28.2 Particulars of any identity card, passport or other valid government issued ID;
- 28.3 The place of his origin and his/her permanent, regular or known address;

28.4 The probable duration of his stay and his intended destination;

28.5 The occupation and place of employment;

28.6 His/Her nationality;

28.7 The hour and date of his/her arrival

SECTION 29. TIME OF ENTRY OF PARTICULARS - Before the guests/visitors are allowed to occupy certain rooms of a resort/hotel/apartelle/tourist inn/pension house/lodge/ Air BNB/motels/hostels and/or its respective premises, the particulars described in the preceding section shall be entered forth within the Registry Book or Card, or if he/she is not able to write, by the keepers/managers/clerks and in either case, the entry shall be signed by the guest or if he/she is unable to write, it should be authenticated by his/her right thumb print.

SECTION 30. VISITORS INVITED BY A GUEST REQUIRED TO REGISTER - Any visitors invited by a guest to stay in his/her room shall register in a separate book for visitors in which shall be entered the name, address, and other particulars of the visitor.

SECTION 31. FALSE ENTRY IN REGISTRY BOOK OR CARD - No 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 of reasonable diligence, have been ascertained to be false.

SECTION 32. REGISTRY OF PROPERTY LEFT BY GUESTS - A book in which shall be entered without delay the particular of any property left in any resort/hotel/apartelle/tourist inn/pension house motorists hotel/lodge/Air BNB/motels/hostels by any guest shall be kept in a manner which the CCATD may require.

SECTION 33. GUESTS SUFFERING FROM DANGEROUS, CONTAGIOUS AND/OR INFECTIOUS DESEASE - The keeper/manager/operator shall immediately report to the CCATD any guest, tenant or member of any tourism establishment concerned who is found to be suffering from a dangerous, contagious and/or infectious disease. The CCATD shall immediately refer the case to the City Health Officer, who shall issue the necessary directions/instructions to prevent the spread of the disease or to require the transfer of the patient to the hospital.

SECTION 34. DEATH IN THE TOURISM ESTABLISHMENT - The keeper/manager/operator shall immediately report to the nearest police station the death of any person or one dying in a certain tourism establishment. A copy of the report shall be transmitted forthwith to CCATD. (In cases where death in a motel happens).

SECTION 35. EMPLOYMENT OF FOREIGN NATIONALS - In the employment of foreign nationals, valid visa and permit to work issued by the Bureau of Immigration and the Department of Labor and Employment, respectively, shall be submitted.

SECTION 36. TRAINING OF FILIPINO UNDERSTUDIES - Tourism establishment employing foreign nationals with supervisory technical or advisory functions shall include in the contract of employment of such foreign nationals provision of at least two (2) Filipino understudies to whom each foreign national will impart his specialized skill FOR FREE. This shall be reported to the CCATD, where the latter may opt the following: (in cases where a hotel or tourism related establishments employ a foreign consultant)

36.1 Ask for the names of the Filipino understudies, as recommended by the Tourism related establishment; or,

36.2 Coordinate with PESD, in the recommendation of 2 Filipino understudies should the establishment has not provided one of their own.

SECTION 37. SUBMISSION OF PROGRAM - The management shall submit to CCATD within five (5) working days from assumption of duties by the foreign nationals the program for training Filipinos in discharging the functions of foreign nationals.

SECTION 38. SUBMISSION OF ANNUAL REPORTS - The tourism establishments shall submit to CCATD an annual report on the progress of its training program of Filipino understudies by foreign nationals.

SECTION 39. REQUESTS FOR CCATD IDENTIFICATION CARDS - CCATD'S identification cards shall be issued to employees of tourism establishments upon request provided that the said employees are included in the list of personnel of the tourism establishment concerned. The issuance of the CCATD ID cards is mandatory to all employees and establishment owners, upon its valid registration.

SECTION 40. SURRENDER OF ID CARDS – The keeper/manager/operator of a tourist establishment shall require its surrender to the CCATD their ID cards within three (3) working days from separation.

CHAPTER IX
PERIODIC INSPECTION, DEFECTS AND DEFICIENCIES

SECTION 41. PERIODIC INSPECTION - The Composite Inspection Team shall conduct periodic inspection of tourism establishments.

The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to privacy of the guests.

All inspection shall be covered by mission orders stating therein the scope of authority and such other matters necessary for the purpose.

SECTION 42. ACCESS OF COMPOSITE INSPECTION TEAM TO RECORDS AND PREMISES - The inspection team shall have access to the Registry Book or Card of the tourism establishments and all parts and facilities thereof, and the right to interview any employee 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 43. DEFECTS AND DEFICIENCIES FOUND DURING THE INSPECTION - Where certain defects or deficiencies have been found in the course of inspection, the CCATD shall give directions to the keeper/manager/operator of the tourism establishments concerned to rectify/remedy the defects or deficiencies within a period of seven (7) working days from notice thereof.

SECTION 44. EXTENSION OF THE PERIOD - The CCATD 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 two (2) months.

CHAPTER X
PENALTIES AND SANCTIONS

SECTION 45. PENALTY FOR FAILURE TO REMEDY THE DEFECTS ETC. -
If the management of any tourism-oriented and tourism-
related establishment fails to remedy the defects or
deficiencies noted, the CCATD shall impose the following:

- 45.1 Resort - fine of One Hundred Pesos (Php100.00) for
every day of delay in complying with directions, but
in no case shall the fine exceed the sum of TWO
THOUSAND FIVE HUNDRED Pesos (Php2,500.00);
- 45.2 Hotel - fine of One Hundred Fifty Pesos (Php150.00)
for every day of delay, but not exceeding TWO
THOUSAND FIVE HUNDRED Pesos (Php2,500.00);
- 45.3 Apartelle/Tourist Inn - fine of One Hundred Pesos
(Php100.00) for every day of delay, but not
exceeding TWO THOUSAND FIVE HUNDRED Pesos
(Php2,500.00);
- 45.4 Others - fine of One Hundred Pesos (Php100.00) for
every day of delay, but not exceeding TWO
THOUSAND FIVE HUNDRED Pesos (Php2,500.00).

Provided, that where the maximum fine imposable
under this Section has been reached and the tourism
establishment concerned has continuously failed to rectify
the defects or completed the deficiencies noted, the CCATD
may revoke or suspend the Certificate of Registration and
License for such period as may be justified under the
circumstances.

SECTION 46. LIABILITY OF KEEPERS/MANAGERS/OPERATORS FOR
ACTS OR COMMISSIONS OF TOURISM-ORIENTED AND
TOURISM-RELATED ESTABLISHMENTS EMPLOYEES -
Without prejudice to the provisions of existing laws,
keepers/managers/operators and assistants of tourist
establishments shall be civilly, and administratively liable for
the acts or commissions of any of its members against any
guest/visitors. They may, however, be exempt from liability
if they could establish that they exercised the diligence of a
good father of the family in the supervision of the erring
employees, or where the acts or omissions complained of
are beyond the control of the keeper/managers/operators or
their assistants due to fortuitous event or force majeure.

SECTION 47. COMMISSION OF ACTS INIMICAL TO THE INTEREST OF THE TOURISM INDUSTRY - Commission by the manager/operator or any member of the establishment, inimical to the interest of the tourism industry shall be sufficient ground for taking disciplinary action, administrative and/or legal action against him. An act shall be considered inimical to the tourism industry when such act will prejudice the promotion of tourism in the City.

SECTION 48. CRIMINAL SANCTIONS

48.1 VIOLATION OF A NON-HOLDER OF AUTHORITY - Any person who is not a holder of license from the BPLD who violated any of the provisions of this Ordinance shall, upon conviction by a competent court, suffer the penalty of imprisonment not exceeding 90 days or a fine of not less than TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00), or both at the discretion of the court.

48.2 PENALTY IMPOSED UPON OFFICERS OF JURIDICAL PERSONS - If the offender of the provisions in the next preceding paragraph hereof is a corporation, partnership, firm or association, the penalty provided therefore shall be imposed upon the officer or officers responsible for the violation, and if such officer is an alien, he shall, in addition be subject to deportation.

SECTION 49. ADMINISTRATIVE PENALTIES - Without prejudice to the application of the above penal sanctions, the CCATD may impose an administrative fine of not less than ONE THOUSAND Pesos (1,000.00) but not more than TWO THOUSAND FIVE HUNDRED Pesos (2,500.00) against any person, natural or juridical, who shall violate or cause another to violate any provision of this Ordinance, or suspend or revoke the license of such person.

CHAPTER XI

TRAINING, CLASS LEVELS AND ETHICAL STANDARDS

SECTION 50. TRAINING PROGRAM FOR STAFF - All tourism establishments shall undertake to provide a staff training program designed to acquaint each member of the staff of his duties and responsibilities to the end that such member will know what is expected of him/her.

SECTION 51. CODE OF ETHICS AND/OR CONDUCT - Tourism establishment owners/ keepers/ managers and/or associations, if any shall draft, with the assistance of CCATD, their respective Code of Ethics and/or conduct which shall govern their conduct in their dealings with one another and the conduct to be observed by the staff or employees towards each other and/or the guest or tenants of the establishment.

Such Code of Ethics and/or conduct shall include the administrative penalties that may be imposed for their violation, such as fine, suspension or dismissal from the service.

The Code of Ethics and/or Conduct, once approved by CCATD, shall become part of these Rules; provided, that in case of conflict between any provision of these Rules and said Code of Ethics and/or Conduct, the former shall prevail.

SECTION 52. PROMOTION/DEMOTION - A hotel may be promoted or demoted from one class to another as the facts may warrant.

SECTION 53. PROMOTION TO HIGHER CLASS LEVEL - Any hotel which has upgraded its facilities and services to, among others, comply with the requirements of a higher-class hotel, may apply with CCATD for promotion to such higher class.

SECTION 54. DEMOTION TO A LOWER CLASS - Where after due investigation by the CCATD it has been established that an establishment is not being kept or managed in a manner conformable to the established standards, the CCATD shall give notice to the hotel keeper/manager, or operator or such fact, granting the hotel a period of time stated in the notice within which to comply with the standard set. If the establishment fails to comply within the period granted in the notice, the CCATD shall remove the registration of the hotel from the class and replace it in a lower class.

SECTION 55. FILING OF SCHEDULE OF CHARGES - Tourism establishments shall file with CCATD and shall readily make available in printed or mimeographed form schedule of charges on all services and related fees. Any change in the charges shall be communicated to CCATD within seven (7) working days from the effectivity of such charges.

CHAPTER XII
INCENTIVES

SECTION 56. INCENTIVES FOR REGISTRATION OF TOURISM-ORIENTED AND TOURISM-RELATED ESTABLISHMENT - Tourism-oriented and tourism-related establishments which are duly registered and licensed by the City shall be entitled to the following incentives:

56.1 "One Stop Shop" processing of registration and license at CCATD, should be completed within a period of not exceeding fifteen (15) days.

56.2 Inspection by Composite Inspection Team of the City to be made only once every quarter month, except in special cases as public interest may require whenever authorized by the Tourism Board upon recommendation of CCATD.

56.3 The tourism and enforcement group shall be formed in coordination with the CCATD.

SECTION 57. GRANT OF TAX EXEMPTION AND PRIVILEGES BY THE CITY COUNCIL TO TOURISM ESTABLISHMENTS OF INTERNATIONAL STANDARDS - In addition to the privileges mentioned in the proceeding section, the City Council may upon recommendation of the Tourism Board, grant tax exemptions and incentives to tourism.

57.1 5-star or De Luxe Hotel

57.2 International Convention Center

57.3 Man-made resort or recreational parks of international standard, similar to Disneyland "or" "Ocean Park"

57.4 International Film Center/Movie studio with hi-tech, modern equipment and realistic film location sets of international standards similar to "Universal Studios"

57.5 Such similar establishments as may be determined by the Tourism Board

The establishments referred to in this Section may also apply for the utilization of City government-owned lands through lease agreement or joint venture under terms and conditions which the City Council may deem proper to impose.

SECTION 58. CONFIDENTIAL CHARACTER OF CERTAIN DATA - Information and documents received by or filed with CCATD in pursuance of the requirements of this Ordinance shall be treated as confidential and shall not be divulged to any private party without the consent of the party concerned when public interest so requires. Any official or employee of the CCATD including those that are temporarily assigned therewith who shall violate the provision of the Section shall be guilty of an offense under this Ordinance.

SECTION 59. ENLISTMENT OF AID, ASSISTANCE AND SUPPORT OF OTHER GOVERNMENT AGENCIES - In the implementation of the provisions of this Ordinance, CCATD may enlist the aid, assistance and support of any and all government agencies, whether local or national.

SECTION 60. REGISTRATION AND LICENSE FORM - The CCATD & BPLD as the case may be, shall make available all application for registration and/or license forms, which shall be accomplished by applicants and all other forms that may be deemed necessary.

CHAPTER XIII MISCELLANEOUS

SECTION 61. IMPLEMENTATION RULES - The City Mayor may, from time to time, issue rules and regulations as he/she may deem fit and necessary for the effective implementation of this Ordinance.

SECTION 62. FUNDING - The funds, necessary for the implementation of this Ordinance shall be taken from the general funds of the City and funding requirements for the succeeding years shall be provided in the Annual/Supplemental Budget of the City.

SECTION 63. SEPARABILITY CLAUSE - The provisions of this Ordinance are separable, and in the event that any or more of such provisions are declared invalid, the validity of all the other provisions shall not be affected thereby.

SECTION 64. REPEALING CLAUSE - Any Ordinance, Executive Order, Local Issuance or Rules and Regulations, or parts thereof, which are inconsistent with this Ordinance are hereby repealed and/or modified accordingly.

SECTION 65. This Ordinance shall take effect after publication in a newspaper of general circulation in Metro Manila.

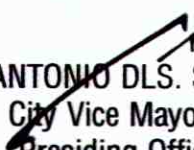
ENACTED on this 14th day of February, 2022 in the City of Mandaluyong.

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ENACTED AND APPROVED BY THE SANGGUNIANG PANLUNGSOD OF MANDALUYONG IN A REGULAR SESSION HELD ON THE DATE AND PLACE FIRST ABOVE GIVEN.


MA. TERESA S. MIRANDA
Sanggunian Secretary

ATTESTED BY:

APPROVED:


ANTONIO DLS. SUVA
City Vice Mayor &
Presiding Officer

CARMELITA A. ABALOS
City Mayor

Date: _____

