



DEPARTMENT OF TOURISM
MEMORANDUM CIRCULAR NO. 2014- 04

**GUIDELINES ON SECURING THE DEPARTMENT OF TOURISM (DOT)
CERTIFICATION FOR LIQUOR BAN EXEMPTION DURING ELECTION PERIOD
AS PRESCRIBED BY THE COMMISSION ON ELECTIONS (COMELEC)**

WHEREAS, Section 39 of Republic Act No. 9593, or the Tourism Act of 2009, provides that in order to encourage global competitiveness, strengthen data gathering and, research on tourism, and facilitate the promotion of individual enterprises and the industry as a whole, the Department shall prescribe and regulate standards for the operation of the tourism industry.

WHEREAS, Section 261 (dd) (1) (Liquor Ban) of the Omnibus Election Code (OEC) of the Philippines provides that any person who sells, furnishes, offers, buys, serves, or takes intoxicating liquor on the days fixed by law for registration of voters in the polling place, or on the day before the election or on election day shall be guilty of an election offense. Provided, that hotels and other establishments duly certified by the Department of Tourism as tourist oriented and habitually in the business of catering to foreign tourists may be exempted for justifiable reasons upon prior authority of the COMELEC.

WHEREAS, to ensure that requirement of Hotels, Resorts, Restaurants, and other Tourism enterprises are habitually in the business of catering to foreign tourists, as provided for in Section 261 of the OEC is complied with, there is a need to promulgate rules and regulations on the issuance of DOT Certification of Liquor Ban exemption.

IN VIEW OF THE FOREGOING PREMISES, pursuant to the powers vested by the Tourism Act of 2009, the DOT resolves to promulgate the following guidelines:

Section 1. Accreditation. Only those Hotels, Resorts, Restaurants, and Other Tourism Enterprises that have been accredited by the DOT for at least two (2) years prior to the scheduled Election Day shall be issued a DOT Certification for liquor ban exemption. Tourism enterprises that have not been accredited for a minimum of two (2) years shall not be eligible for DOT Certification.

Section 2. Validity of Certification. The DOT Certification for liquor ban exemption shall only be valid within the election period specified in the certificate.

Section 3. Violation of Certification. Any violation of non-compliance with any of the guidelines set forth in this circular and in other guidelines, orders, rules, and

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The New Department of Tourism Building, 351 Sen. Gil Puyat Avenue, Makati City 1200, Republic of the Philippines

Tel. No.: (+632) 459-5200 • Fax No.: (+632) 890-0634

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regulations promulgated by the DOT and the COMELEC shall cause the cancellation of the DOT Certification and/or accreditation of the tourism enterprises.

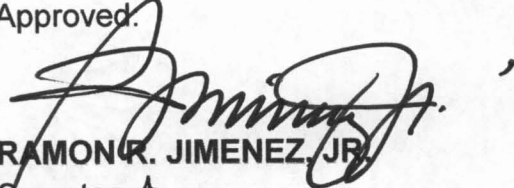
Section 4. Repealing Clause. All other orders, circulars, and/or rules and regulations inconsistent herewith shall be deemed amended accordingly.

Section 5. Separability Clause. In the event that any provision of this Circular or parts thereof be declared unconstitutional, such provision shall not affect the validity of the other provisions.

Section 6. Effectivity Clause. This Memorandum Circular shall take effect immediately after publication in a newspaper of general circulation or in the Official Gazette. Let three (3) copies of this Memorandum Circular be filed with the U.P. Law Center in accordance with Presidential Memorandum Circular No. 11, s. 1992.

Makati, Philippines.

Approved.


RAMON R. JIMENEZ, JR.
Secretary ✱

Date: APRIL 30, 2014

