



OFFICE OF THE SANGGUNIANG BAYAN

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE SANGGUNIANG BAYAN OF PANGLAO, BOHOL HELD ON SEPTEMBER 21, 2020 AT THE SB SESSION HALL, PANGLAO, BOHOL

PRESENT: Hon. Briccio D. Velasco Vice Mayor/Presiding Officer
Hon. Benedicto H. Alcala SB Member
Hon. Noel E. Hormachuelos -do-
Hon. Amira Alia m. Caindec -do-
Hon. Eduard G. Mejos -do-
Hon. Felix M. Fudolig -do-
Hon. Dennis B. Hora -do-
Hon. Zinon G. Labaya -do-
Hon. Fielle Anthony S. Dumaluan -do-
Hon. Jose L. Arbitrario ABC President
Hon. Jonah Loretero SK Federated President

MUNICIPAL ORDINANCE NO. 04

Series of 2020

AN ORDINANCE REQUIRING ALL PRIMARY AND SECONDARY TOURISM ENTERPRISES IN THE MUNICIPALITY OF PANGLAO TO SUBMIT REGULAR MONTHLY REPORT ON TOURIST STATISTICS DATA TO THE PANGLAO MUNICIPAL TOURISM OFFICE AS ONE OF THE REQUIREMENTS IN SECURING BUSINESS PERMIT AND PENALIZING VIOLATIONS THEREOF

(Sponsored by: Hon. Amira Alia Montero-Caindec)

Be it ordained by the Sangguniang Bayan of Panglao, Bohol in session duly assembled –

Section 1. Title. This ordinance shall be known as the “Tourist Arrival Monitoring Ordinance of Panglao, Bohol.”

Section 2. Declaration of Policy. It is the declared policy of the municipal government of Panglao to develop Municipality of Panglao as a primary tourist attraction area and destination with the goal of promoting investment for the municipality.

Section 3. Definition of Terms. For the purpose of this Ordinance, the terms and phrases enumerated in this Section shall be construed or interpreted to mean or to refer to, as follows:

- a. **Tourism enterprises** - refers to facilities, services and attractions involved in tourism, such as, but not limited to travel and tour services; tourist transport services, whether for land, sea or air transportation; tour guides; adventure sports services involving such sports as mountaineering, spelunking, scuba diving and other sports activities of significant tourism potential; convention organizers; accommodation establishments, including, but not limited to, hotels, resorts, apartelles, tourist inns, motels, pension houses and home stay operators; tourism estate management services, restaurants, shops and department stores, sports and recreational centers, spas, museums and galleries, theme parks, convention centers and zoos.
- b. **Primary tourism enterprises** - refers to travel and tour services; land, sea and air transport services exclusively for tourist use; accommodation establishments; convention and exhibition organizers; tourism estate management services; and such other enterprises as may be identified by the Secretary, after due consultation with concerned sectors.
- c. **Secondary tourism enterprises** - refers to all other tourism enterprises not covered by the preceding subsection.



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- d. **Tourism Compliance Certificate** - A certification issued by Panglao Municipal Tourism Office recognizing that the establishment has complied with the minimum requirements set in its operation.
- e. **Accommodation Establishment Visitor Survey** - It is a type of survey conducted in accommodation establishments; interviews the guests in accommodation establishments.
- f. **Attraction Survey** - a quarterly survey that provides information about the characteristics and ratings of visitors in a specific attraction.
- g. **Average Guest Night** - the quotient between total guest night and total guest check-in.
- h. **Average Length of Stay** - the average number of days which a tourist stays in a month.
- i. **Average Occupancy Rate** - is calculated by dividing the number of rooms occupied in a given month by the total number of rooms, irrespective whether the rooms are actually available or not.
- j. **Convention Utilization Survey** - a survey which monitors the use of convention and meeting facilities of Accommodation Establishments and other establishments; it also monitors the volume and characteristics of the events and its participants.
- k. **Departure Point Visitor Survey** - a type of survey conducted in ports of exit/ transportation terminals (e.g. airport, sea port, bus terminal); interviews the passengers exiting the province.
- l. **Guest Nights** - total number of overnight visitors counted by nightly basis.
- m. **Guest Check-In** - number of guests who arrived and check-in at the accommodation establishment.
- n. **MICE (Meeting, Incentives, Conferences and Exhibitions)** - is a type of tourism in which large groups, usually planned well in advance, are brought together.
- o. **Occupancy Rate** - is the ratio of rented or used space to the total amount of available space.
- p. **Room Occupancy Rate** - indicates the ration between occupied rooms and available rooms.
- q. **Tourist Attraction Visitor Survey** - a type of survey conducted in tourist attractions; interviews visitors in tourist attractions.
- r. **Total No. of Guest Check-In** - total number of guests who arrived and check-in at the accommodation establishment.
- s. **Visitor Attraction Report** - the data which shows the number of tourists who visited the different tourist attractions in a destination.



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Section 4. General Provisions.

- a. All tourism accommodation establishments such as but not limited to beaches, mountain resorts, theme and leisure parks, government establishments catering day tourists, museums, convention centers and facilities, sports centers, recreational centers and facilities and such other private establishments and travel agency operators in the municipality of Panglao are hereby required to submit regular monthly report on tourist statistical data to the Product Development, Planning and Research Section of Panglao Municipal Tourism Office.
- b. The said report shall be submitted not later than every 10th day of the month. Reports submitted on the 11th day of the month will be considered late and it will be the first day for the counting of penalty. This report will be requirement in the issuance of Tourism Compliance Certificate during the renewal of business permit.
- c. The imposition of fines shall be determined by the Tourism Statistician duly approved upon reviewed by the Municipal Tourism Officer. Such fines shall be paid at the Municipal Treasurer's Office. Official Receipt shall be presented during the renewal of Business Permit for the Issuance of the Tourism Compliance Certificate.
- d. All tourism accommodation establishments such as but not limited to beaches, mountain resorts, theme and leisure parks, government establishments catering day tourists, museums, convention centers and facilities, sports centers, recreational centers and facilities and such other private establishments and travel agency operators in the municipality of Panglao shall be provided with a standard tourist statistics data format from the Panglao Municipal Tourism Office (PMTO) to ensure concise and comprehensive report.

Section 5. Statistical Forms and Details of Report. Accommodation establishment shall report regularly Form A – DAE 1A on a monthly basis with the data such as:

- a. Total Number of tourist by Nationality
- b. Total Number of Guest Check-in
- c. Average Guest Nights

$$\text{Ave. Guest Nights} = \frac{\text{Total Number of Guest Nights}}{\text{Total Number of Guest Check-in}}$$

- d. Average Number of Guest per Room

$$\text{ANGperR} = \frac{\text{Total No. of Guests Nights}}{\text{Total No. of Rooms Occupied by the Guests}}$$

- e. Average Room Occupancy Rate

$$\text{AROR} = \frac{\text{Total No. of Rooms Occupied during the Month}}{\text{Total No. of Rooms Available during the Month}}$$

- f. Visitors Arrival Report Form 1 (VAR 1) shall be used by theme and leisure parks, government and private establishments catering day tourists and museums. VAR 1 shall be reported every 10th of the month.



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- g. Convention Utilization Survey Form (CUS Form) shall be used by convention centers and facilities, sports centers, recreational centers and event organizers. CUS Form shall be reported right after the event has been conducted.

Section 6. Conduct of Surveys. The Municipal Tourism Office shall conduct periodic Tourist Profiling and Characteristics Survey or data gathering to ensure quality standards of services and facilities.

- a. **Departure Point Visitor Survey** - to be conducted in all departure terminals of airport and bus stations.
- b. **Tourist Attraction Visitor Survey** - to be conducted in all identified tourist attractions such as but not limited to theme and leisure parks, government and private establishments catering day tourists and museums.
- c. **Accommodation Establishment Visitor Survey** - to be conducted on selected Accommodation establishments. A quarterly survey that provides information about short-term commercial accommodation activity.

Therefore, all establishments considered important in the conduct of these surveys may facilitate the enumerators duly commissioned by the Local Government Unit. Establishments found violating this provision will be sanctioned to a penalty under Section 8.b.

Section 7. Violations.

- a. Reporting inaccurate, fictitious, fabricated and under-declared data/reports.
- b. Disobliging and uncooperative establishments during the conduct of surveys.
- c. Late submission of reports duly required by the Tourism Office.

Section 8. Penalty. Tourism establishments which failed to comply the requirements and mitigating procedure under this ordinance shall be fined upon conviction of the court depending on the following circumstances:

- a. Late submission shall be fined Two Thousand Five Hundred Pesos (Php 2,500.00) per monthly submission.
- b. Disobliging and uncooperative establishments during the conduct of surveys shall be fined of Two Thousand Five Hundred Pesos (Php 2,500.00) per violation.
- c. Establishment found reporting inaccurate, fictitious, fabricated and under-declared data/reports shall be fined:
 - c.1. First Offense - Two Thousand Pesos (Php 2,000.00)
 - c.2. Second Offense - Two Thousand Five Hundred Pesos (Php 2,500.00)
 - c.3. Third Offense - Revocation of Business Permit

Those establishments which shall incur more than three offenses under this Ordinance shall be classified as notorious violator and shall suffer the penalty of imprisonment of not less than 10 days or not more than 30 days and fine of Two Thousand Five Hundred (Php 2,500.00) for every violation incurred respectively.

Section 9. Administrative Penalty. Violator who has received a Notice of Violation from the Municipal Mayor and who do not wish to contest the violation, may opt to pay the administrative



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fine of One Thousand Pesos (Php 1,000.00) per violation within seven (7) days from receipt of such notice.

Section 10. *Mitigating Procedure for Violations.*

- a. Upon determining out that the report being submitted is inaccurate, fictitious, fabricated and/or under-declared, the Municipal Tourism Officer shall require a written explanation from the concerned establishment.
- b. If the response of the concerned establishment is unsatisfactory, the Municipal Tourism Officer shall hereby call for a dialogue with the violator to reconcile and rectify the data and will be given fifteen (15) days compliance.
- c. If the rectification process is ineffective and is undeniably found to be and insisting non-compliant, the Municipal Tourism Officer shall hereby recommend to the Mayor the issuance of a Notice of Violation to the concerned establishment, and be given a period of seven (7) days within which to opt to pay the administrative fine as provided in Section 9 above.

Section 11. *Separability Clause.* In the event that a provision of this Ordinance is found or decreed to be invalid or unconstitutional, all other provisions hereof not affected by such pronouncement or decree shall remain to be in full force and effect.

Section 12. *Effectivity Clause.* This Ordinance shall take effect after 15 days following the completion of its full publication in any newspaper of general circulation within the province of Bohol.

UNANIMOUSLY APPROVED: This 21st day of September, 2020 at Panglao, Bohol.

I hereby certify to the correctness of the above-quoted ordinance.

HON. BRICCIO D. VELASCO
Vice Mayor/Presiding Officer

ATTESTED:

ANALYN ALCALA-APDUHAN
SB Secretary

APPROVED:

HON. LEONILA P. MONTERO
Municipal Mayor

Date Signed: _____