Philippines or any recognized organization providing training or promoting safety objectives, and adequate security whenever there are guests.

Section 39. **INSTALLATION OF BUOYS ON BEACH RESORTS** - There shall be placed on every beach resort an adequate number of buoys which shall be spread within the area to be determined by the resort owner or keeper as safe for swimming purposes, and in compliance with the existing government regulations and/or local ordinances on the placing of such buoys.

Section 40. **ESTABLISHMENT OF DESIGNATED SWIMMING AREA ON BEACH RESORTS** - The distance fronting the area of the resort with adequate number of buoys as provided in the preceding section shall be designated as the area for swimming purposes, and no boat, banca or other crafts shall be allowed to enter the areas so designated. The resort owner or his duly authorized representative shall be empowered under these rules to enforce the above, and shall likewise designate a portion of the beach front to be used for loading and unloading of resort guests and for public use. However, the Local Government, through an ordinance, may provide for the specific areas for the purpose.

Section 41. **ADOPTION OF PRECAUTIONARY MEASURES** - Resort management shall not allow swimming at the beach front beyond 10:00 p.m and appropriate notice shall be posted to inform the resort guests of this regulation. Night swimming at the pool shall be allowed only if there are adequate lifeguards on duty and when the pool premises are sufficiently lighted. Management shall post sufficient and visible signs in strategic areas in the resort or at the beach to warn guests/customers of the presence of artificial or natural hazards, danger areas or occurrences thereat.

Section 42. **PROHIBITED ACTS AND PRACTICES** - Pets or animals shall not be allowed to bathe/swim in front of bathing establishments. Likewise, washing of fishing nets shall be strictly prohibited in beach resorts.

42.1 Resort owners shall prohibit ambulant vendors from peddling their wares within the resort premises in order to provide their guests a certain degree of privacy to enable them to relax and enjoy their stay threat.

42.2 Littering in resorts shall be strictly prohibited. Resort owners shall keep their premises clean and shall adopt their own anti-littering measures. Without prejudice to existing ones, no resort shall be established or constructed within a radius of five (5) kilometers from any pollution-causing factory or plant.

Section 43. **Grounds for Cancellation of Registration, License and Mayor's Permit** - Any of the following acts, omissions or offenses shall be sufficient grounds for the cancellation of registration, license and Mayor's Permit:

43.1 Making any false declaration or statement or making use of any such declaration or statement or any document containing the same or committing fraud or any act of misrepresentation for the purpose of obtaining the issuance of certificate of registration, license and Mayor's Permit;

43.2 Failure to comply with or contravene any of the conditions set forth in the certificate of registration and permits;

43.3 Failure to meet the standards and requirements for the operation of the establishment;

43.4 Allowing or permitting the establishment or its facilities to be used for illegal, immoral or illicit activities, and

43.5 Violation of or non-compliance with any of the provisions of this Code, promulgated orders, decisions and circulars issued by the Department of Tourism and other concerned government agencies.

## CHAPTER VI
## REGULATIONS ON OTHER TOURISM-RELATED BUSINESSES

Section 44 **TRAVEL AND TOUR AGENCIES** – Travel and Tour Agencies which shall establish its operation in the locality shall comply with all the requirements hereby determined and set, to wit:

44.1 **APPLICATION FOR REGISTRATION AND MAYOR'S PERMIT** – Prior to operation, Travel and Tour Agencies shall apply for registration at the Municipal Tourism Office and secure permit at the Office of the Municipal Mayor.

44.2 **SUPPORTING DOCUMENTS TO BE SUBMITTED WITH THE APPLICATION** – Application to operate as a travel and tour agency shall be supported by documents to be submitted as follows:

44.2.1 In case of partnership or corporation, a copy of the Certificate of Registration with the Securities and Exchange Commission.

44.2.2 If a sole proprietorship, a copy of the registration of the business name with the Department of Trade and Industry together with the owner's statement of assets and liabilities.

44.2.3 Two-year projected financial statements to reflect among other things, a minimum working capital of P500, 000.00.

44.2.4 Surety bond in the amount of at least P200, 000.00 regardless if it is an inbound tour operation or outbound operation, issued by a duly accredited bonding company in favor of the Municipality of Roxas and conditioned to answer for any and all liabilities resulting from or incurred in the course of travel and tour operation in accordance with the findings and resolution of the Office which shall be valid for a period of one (1) year from the date of the issuance of permit.

44.2.5 Complete list of personnel, including tour guides and travel representatives, if any, together with one (1) "2 x 2" photo of each, their corresponding Personal Data Sheet and NBI Clearance.

44.2.6 For alien personnel, valid visa from the Bureau of Immigration and Deportation and the proper permit from the Department of Labor and Employment.

44.2.7 Contract of lease of the office space intended for the use of the agency, which office space shall be at least sixteen (16) square meters in area.

44.2.8 Board of Director's resolution designating the person authorized to sign and transact business with the Department in behalf of the applicant

44.2.9 For both ***inbound*** and ***outbound*** tour operations, the manager must be a resident of the Philippines without any pending case in any court, administrative and quasi-judicial body, at least three (3) years experience in tour/travel agency operations or has earned baccalaureate degree in Tourism or has satisfactorily completed a course in Tourism Agency Management

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

44.3 **ADDITIONAL REQUIREMENTS FOR TRAVEL AND TOUR AGENCIES USING A MOTOR VEHICLE** - No travel and tour agency shall use any vehicle while conducting tours or transporting tourists unless such vehicle is duly registered with the Office and reflects the name and logo of the company

44.4 **SUPPORTING DOCUMENTS TO BE SUBMITTED FOR THE ANNUAL RENEWAL OF THE MAYOR'S PERMIT**- Travel and tour agencies shall be required to submit the following documents upon renewal:

44.4.1 A copy of the amended Articles of Incorporation or Articles of Partnership and By-Laws, if applicable

44.4.2 The list and information sheet of additional personnel, if any, or change in the manpower complement of the agency.

44.4.3 Proof of renewal of surety bond, valid from one year from the date of issuance of the Mayor's Permit

44.5 **ESTABLISHMENT OF BRANCHES WITHIN THE MUNICIPALITY** – Guidelines on the establishment of branches shall be formulated by the Sanggunian Bayan thru adoption of an ordinance upon the recommendation of the Office and the Municipal Tourism Council.

44.6 **ACCESS TO RECORDS** – For monitoring purposes, the Municipal Tourism Office shall have an easy access to all records, at all times, to Travel and Tour Agencies.

44.7 **TRANSFER OF REGISTRATION AND MAYOR'S PERMIT** – Transfer of registration and Mayor's permit of Travel and Tour Agencies shall be in accordance with the provision of Chapter V, Section 27 of this Code.

44.8 **SCHEDULE OF CHARGES** - The travel agency shall file with the Office and shall display in their establishment a schedule of charges on all services and related fees. Any change in said schedule shall be communicated to the Office within seven (7) days from such change.

44.9 **FINES, FORFEITURE OF BOND, SUSPENSION, CANCELLATION AND/ OR NON-RENEWAL OF MAYOR'S PERMIT** - Any of the following acts, omission, or offenses shall be sufficient ground for the cancellation of the certificate of registration, non-renewal of Mayor's Permit and/or forfeiture of bond:

44.9.1 Without valid reason, Failure to renew the permit within the period required or non-compliance with the requirements provided under this Code,

44.9.2 Fraudulent representation, written or oral, by the chief executive officer/manager of the agency for the purpose of securing issuance of any license under these rules,

44.9.3 Employment or hiring of tour guides who are not holders of a license issued by the Municipal Mayor including working visa and work permit in the case of a non-Filipino employees, whether contractual or permanent;

44.9.4 Opening of any branch without prior approval of the Office

44.9.5 Non-settlement of account and/or non-remittance of collection to the carrier of their co-agencies, or any agency of the government of any individual within the period prescribed by law or by the rules and regulations and circulars of the Office.

44.10 REGISTRATION FEE – there shall be fixed a registration fee for Travel and Tour Agencies in the amount of Two Thousand Pesos (P2,000.00)

44.11 MAYOR'S PERMIT - All fees relative to the issuance of permit shall be in consonance with the provisions of the Revised Revenue Code of 2011 of Roxas, Oriental Mindoro;

Section 45. **TOUR GUIDES** – Tour Guiding activities shall comply with all the requirements hereby determined, as follows:

45.1 **Classification** - As one of the components for tourism activity, Tour Guides are classified, to wit.

45.1.1 **Specialist Guide** - A tour guide who is especially competent in a particular subject or field such as art, botany, architecture, nature interpretation, etc.

45.1.2 **Courier Guide** - A guide who is authorized by a travel agency or tour operator to tour a party and facilitates its travel and land arrangement and who is also competent to act as local guide.

45.1.3 **Local Guide** - A guide who is competent to conduct tours in a given area or locality.

45.2 **EDUCATION AND TRAINING REQUIREMENTS** For purpose of registration and permit for tour guides, the following are the minimum requirements for each class:

45.2.1 **For a Specialist Guide** - Must have undertaken basic training on tour guiding conducted by the Office or agencies duly authorized by the Department of Tourism, preferably have training on other fields/skills, e.g., communication, language, first aid techniques and self defense.

45.2.2 **For a Courier Guide** - Must have at least three (3) years experience in active tour guide work; Must be connected or attached to a travel agency or tour operator; Must have additional relevant training on English language proficiency and local culture.

45.2.3 **For a Local Guide** - Must have undertaken basic training on tour guiding conducted by the office or by reputable agencies; Must be proficient in English Language and local dialects used in the municipality.

**45.3 QUALIFICATION FOR TOUR GUIDES** - Only Filipino citizens may qualify as tour guides. However, aliens with permanent residence status may be granted a special license if Filipino tour guides are allowed to guide in said alien's country.

**45.4 REQUIREMENTS FOR REGISTRATION AND ISSUANCE OF PERMIT** - An applicant for registration and issuance of permit as tour guide shall submit the following:

45.4.1 Proof that the applicant has passed a seminar for tour guides & confirmed as authorized by the Municipal Tourism Office, licensed with the Local Government and duly accredited by the Department of Tourism;

45.4.2 Medical Clearance issued by the Municipal Health Officer of Roxas, Oriental Mindoro;

45.4.3 Clearances from the National Bureau of Investigation, Fiscal Clearance, the local Philippine National Police and the Barangay;

45.4.4 In the case of alien, proof of employment with the duly licensed agency, permit to work or registration certificate from the Department of Labor and Employment, appropriate visa from the Commission on Immigration and Deportation, and proof of reciprocity which shall consist of a certificate by the proper official of the home state of the applicant to the effect that the law of such land or state allow citizens of the Philippines to engage in tour guiding. Home state refers to the country or individual states within a federal country of which applicant is a citizen or national. Such certification must be authenticated in accordance with Republic Act 2103.

**45.5 VALIDITY AND RENEWAL OF PERMIT** - The permit shall be valid until 31 December of every year and renewal shall be made not later than January 15 of every year.

**45.6 PENALTY FOR FAILURE TO RENEW PERMIT ON TIME** – A surcharge, in conformity with the Revised Revenue Code, shall be