

[OTS, December 19, 1987]

RULES AND REGULATIONS TO GOVERN THE BUSINESS OF TOUR GUIDES

Pursuant to the authority vested in the Department of Tourism by Executive Order No. 120 "To Promulgate Rules and Regulations Governing the Operations and Activities of all Persons, Firm, Entities and Establishments that Cater to Tourist, to Provide Standards for Accreditation of Hotels, Resorts, and to Prescribe Rules and Regulations Governing the Issuance of License to Tour Guide," and the provisions of Presidential Decree Nos. 259 and 1463 not inconsistent with said Executive Order, the following rules and regulations are hereby promulgated to govern the business and operation of Tour Guides.

SECTION 1. Definition of Terms — For purposes of these Rules; the following shall mean:

1. "Tour Guide" shall mean an individual who is licensed by the Department of Tourism to guide tourist, both foreign and domestic, for a fee, commission, or any other form of lawful remuneration.
2. "License" shall mean the privilege or authority to engage in tour guiding.
3. "Department" shall mean the Department of Tourism.

SECTION 2. Who May Apply — Only Filipino citizens may qualify as tour guides; Provided, that aliens with permanent resident status may be granted a license if Filipino tour guides are allowed to guide in said alien's country.

SECTION 3. Requirements for Issuance of License — An applicant for a license as tour guide shall submit the following:

1. Proof that the applicant has passed a seminar for tour guides duly conducted by the Department or other agencies duly authorized by the Department to conduct seminar; Provided, However, that this requirement may be waived by the Department where the applicant possesses special academic or professional qualifications relevant to tourism;
2. Certificate of good health issued by any duly accredited government physician;
3. Clearance from the National Bureau of Investigation;
4. In the case of alien applicants exempted pursuant to Section 2 hereof, proof of employment with a 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 state allows or permits reciprocal rights to Filipino citizens to engage in tour guiding. Home state refers to the country or individual state within a federal country of which applicant is a citizen or national. Such certification must be authenticated in accordance with Act. No. 2103; and

5. Latest Income Tax Return.

SECTION 4. Issuance of License — Upon compliance with all the requirements of the preceding section, the license shall be issued upon payment of the license fee of Seventy Five Pesos (P75.00) per year.

SECTION 5. Validity of License — The license of the tour guide shall be valid until 31 December of the next 2 succeeding years; Provided; That licensed tour guides shall submit copies of their latest income tax returns on an annual basis.

SECTION 6. Renewal of License — Application for renewal of license shall be made between 15 December to 15 January every two (2) years. An applicant for renewal of license as tour guides shall submit the same requirements under Section 3 hereof except the Affidavit of Proof of having passed a Seminar for Tour Guides and the Proof of Reciprocity; Provided, however, that such an affidavit shall be a requirement if applicant has been inactive or has not exercised his tour guide profession for more than two (2) years.

SECTION 7. Penalty for Failure to Renew License on Time — A surcharge of one hundred percent (100%) of the regular license fee shall be imposed on a tour guide for failure to renew his license within the period prescribed by these rules.

SECTION 8. Wearing of Identification Card — A Tour Guide shall wear, while performing his duties, his Identification Card issued by the Department upon the grant of his license at the cost of Twenty (P20.00) Pesos.

SECTION 9. Grounds for Cancellation of License — The following shall be sufficient grounds for the Cancellation of the license of a Tour Guide:

1. Conviction of a crime involving moral turpitude; and
2. Conviction more than once of any of the acts enumerated in the immediate succeeding section.

SECTION 10. Grounds for Suspension of License — The following shall be sufficient grounds for the suspension of the license of a Tour Guide:

1. Any overt act of dishonesty, misrepresentation or misconduct committed against a member of his/her tour group or against her employer or co-employee;
2. Forced tipping or contributions from tourists;
3. Failure to comply with the requirement of the compulsory wearing of the ID as provided for in Section 8 hereof; and
4. Violation of any of the provisions of these Rules, circulars and order of the Department.