



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

**MUNICIPAL ORDINANCE NO. 164**  
Series of 2002

**AN ORDINANCE SETTING GUIDELINES TO REGULATE THE OPERATION OF TOURIST GUIDES, COORDINATORS AND TOURIST ESCORTS WITHIN THE MUNICIPALITY OF MALAY.**

SECTION 1. - **DEFINITION OF TERMS.** As used in this Ordinance the following terms shall mean:

- (a) **TOURIST GUIDE** - an individual who guides tourists, both local and foreign, for a fee, commission or any other form of lawful remuneration, within the Municipality of Malay, either as a free-lancer or as an employee of any tourism related establishment. To guide, shall mean to lead the way, to provide information and to professionally conduct tourists to desired destinations or activities.
- (b) **TOUR COORDINATOR** - an individual who is either a free lancer or employed in any tourist establishment or agency who makes arrangements to provide various recreational activities to tourists, such as snorkeling, diving, boating, island hopping, banana riding and other similar activities.
- (c) **TOURIST ESCORT** - an individual who assists tourists, both domestic and foreign from Caticlan or Mainland Malay and Boracay Island to any tourist establishments, destinations or activities, for a fee, commission or any other form of lawful remuneration, within the Municipality of Malay. To assist means to provide ease and convenience to tourists while in transit to a desired destination or while in attendance of an activity.
- (d) **TOURIST ASSISTANCE CENTER** - an office which gathers, compiles and makes available records of the Municipality of Malay pertinent to tourism activities, destinations, potentials, transportation schedules and other relevant data for those who may need them, particularly tourists or visitors.
- (e) **BORACAY CENTRALIZED ASSISTANCE FOR RESERVATIONS ENLINK SYSTEM (BORACAY - CARES)** - a centralized service arranging reservations for resort accommodation, boating, snorkeling, diving and other tourism related activities under the supervision of the Municipal Tourism Office, to tourists or visitors, individually or in groups.

SECTION 2. - **GRANT OF PREFERENCE.** It shall be the policy of this Municipality to give preference to Malaynon tourist guides, coordinators and escorts in the grant of permit to exercise such trade within its municipal jurisdiction. Policies and guidelines on this regard, responsive to the demand of the tourism industry, shall be promulgated by the Municipal Chief Executive.

SECTION 3. - **REGISTRATION AND LICENSING.** All tourist guides, coordinators and escorts are required to register with the Local Government of Malay and annually secure a Municipal License or Mayor's Permit, the absence of both shall prohibit such tourist guides, coordinators and escorts to conduct their trade within this Municipality.

SECTION 4. - **PRE-REQUISITE DOCUMENTS FOR REGISTRATION AND LICENSING.** Tourist guides, coordinators and escorts shall submit the following as pre-requisites for registration and issuance of Municipal License or Mayor's Permit:

(a) **FOR FREELANCE LOCAL TOURIST GUIDES, COORDINATORS AND ESCORTS:**

(1) **FOR TOURIST GUIDES:**

- 1.1 Certification by the Department of Tourism and Municipal Tourism Office that the applicant has passed the examination conducted by both.
- 1.2 Certification by the Department of Tourism and the Municipal Tourism Office that the applicant has undergone seminar conducted by both.
- 1.3 Medical Certificate issued by the Municipal Health Officer of Malay
- 1.4 Barangay Clearance issued by the Punong Barangay of the place where the applicant resides.
- 1.5 Police Clearance issued by the Philippine National Police Office of the Municipality where the applicant resides.
- 1.6 Court Clearance of any Regional Trial Court Branch in the province where the applicant resides.
- 1.7 Drug Test Certification that the applicant is drug-free.

(2) **FOR ESCORTS AND COORDINATORS:** All requirements for Tourist Guides.

(3) **FOR COORDINATORS.** All requirements for Tourists Guides except 1.1

(b) **FOREIGN TOURIST GUIDES:**

- (1) Certification of Employment from the travel agency they are representing.
- (2) Working Permits and/or other related documents.

(c) **FOR LOCAL TOURIST GUIDES, COORDINATORS AND ESCORTS EMPLOYED BY RESORTS, HOTELS, LODGING HOUSES AND OTHER SIMILAR ESTABLISHMENTS:**

- 1) Employer's Certification of Employment.
- 2) Medical Certificate issued by the Municipal Health Officer of Malay.
- 3) Certification of Department of Tourism and Municipal Tourism Office that the applicant has undergone seminar conducted by both.

SECTION 5. - **FEES. REGISTRATION AND LICENSING.** Tourist guides, coordinators and escorts shall pay to the Municipal Treasurers Office one time registration fee and an annual municipal license fee based on the following rates:

	<b>R e g i s t r a t i o n   F e e</b>		
	<b>MALAYNON</b>	<b>NON-MALAYNON</b>	<b>FOREIGN</b>
Tourist Guide	₱ 3,000.00	₱ 3,000.00	₱ 10,000.00
Tour Escort	1,000.00	1,500.00	
Tour Coordinator	1,000.00	1,500.00	(Free Lancer)

**A N N U A L   L I C E N S E   F E E**

	<b>MALAYNON</b>	<b>NON-MALAYNON</b>	<b>FOREIGN</b>
Tourist Guide	₱ 5,000.00	₱ 5,000.00	₱ 10,000.00
Tour Escort	1,000.00	1,000.00	
Tour Coordinator	1,000.00	1,000.00	(Free Lancer)

SECTION 6. - **RESTRICTIONS.** Foreign and local tourist guides/escorts and coordinators employed by tourist establishments or tour agencies are strictly prohibited to transact business related to provision of tour services to tourists or visitors other than those packaged by tourist establishments or agencies where they are employed.

SECTION 7. - **GUIDELINES ON TOURIST GUIDES, COORDINATORS AND TOURIST ESCORTS' DEPARTMENT.** The following guidelines on department shall be observed by all tourist guides, coordinators and escorts:

- (a) No tourist guides, coordinators, and escorts shall conduct business related to provisions of tour services outside the Municipal Tourism Center.
  - (b) All tourist guides, coordinators, escorts shall display their identification card at all times while conducting their trade.
  - (c) Proper grooming is a must for all tourist guides, coordinators and escorts.
- PROPER GROOMING** - means neatness, cleanliness and wearing of presentable attire or wearing of prescribed uniform, if there is any.
- (d) Assisting tourists or visitors by tourist guides, coordinators and escorts who are under the influence of liquor is strictly prohibited.
  - (e) It is required of all tourist guides, coordinators and escorts that utmost courtesy, politeness and hospitality must be observed while assisting tourists or visitors.
  - (f) Promotion of prostitution and prohibited drugs by tourist guides, coordinators and escorts is strictly prohibited.
  - (g) It is strictly prohibited for tourist guides, coordinators and escorts to provide wrong information tending to mislead tourists of facts prejudicial to the latter or to any third party.
  - (h) It is required of all tourist guides, coordinators and escorts to register incoming, booked or returning guests at least an hour before their arrival so as to entitle them to assist such guests. Failure to comply with this requirement losses one's option to assist the aforementioned guests hence assistance shall be given according to agreed sequence.
  - (i) No tourist guides, coordinators and escorts shall convince guests/tourists to transfer to other resorts once they have check-in.

SECTION 8. - **PENALTIES.** The following penalties shall be imposed for violation of any provisions of this Ordinance.

**FIRST OFFENSE** - Warning and a fine of ONE THOUSAND PESOS (₱1,000.00)

**SECOND OFFENSE** - One (1) month suspension and fine of ONE THOUSAND FIVE HUNDRED PESOS (₱1,500.00)

**THIRD AND SUBSEQUENT OFFENSE** - Cancellation of Municipal License or Mayor's Permit and a fine of TWO THOUSAND FIVE HUNDRED PESOS (₱2,500.00), and imprisonment of not more than thirty (30) days, dependent on the discretion of the court.

SECTION 9. - **REPEALING CLAUSE.** All ordinances, rules and regulations, or parts thereof, whose provisions are in conflict with, or contrary to, the provision of this ordinance are hereby repealed, amended, or modified accordingly.

SECTION 10. - **DATE OF EFFECTIVITY.** This Ordinance shall take effect immediately upon approval and proper publication.

**ENACTED.** FEBRUARY 6, 2002

**APPROVED.** MAY 29, 2002.

CERTIFIED TRUE COPY:



**CONCORDIA S. ALCANTARA**

Secretary to the Sangguniang Bayan

**APPROVED: SP RESOLUTION NO. 02-411, dtd. 12-13-02**

