



Republic of the Philippines  
Province of Aklan  
MUNICIPALITY OF MALAY



*Office of the Sangguniang Bayan*

**EXCERPT FROM THE MINUTES OF THE 13<sup>TH</sup> REGULAR SESSION OF THE SANGGUNIANG BAYAN OF MALAY, AKLAN (2010-2013) HELD AT THE SB SESSION HALL, POBLACION, MALAY, AKLAN ON APRIL 10, 2012.**

Present:

- Hon. Ceciron S. Cawaling, Municipal Vice Mayor, Presiding Officer
- SB Member Wilbec M. Gelito
- SB Member Esel L. Flores
- SB Member Rowen T. Aguirre
- SB Member Jupiter Aelred G. Gallenero
- SB Member Dante C. Pagsuguiron
- SB Member Paterno S. Sacapaño Jr.
- SB Member Ric P. Calvario, Liga President
- SB Member Cristina R. Daguno, SK Federation President

Absent:

- SB Member Member Jonathan C. Cabrera (OB)
- SB Member Natalie C. Paderes (Sick Leave)

X

X

X

**MUNICIPAL ORDINANCE NO. 313**  
Series of 2012

**AN ORDINANCE AMENDING MUNICIPAL ORDINANCE NO. 164 SERIES OF 2002 (AN ORDINANCE SETTING GUIDELINES TO REGULATE THE OPERATION OF FOREIGN AND LOCAL TOURIST GUIDES, COORDINATORS AND TOURIST ESCORTS WITHIN THE MUNICIPALITY OF MALAY) .**

**(Sponsor: Committee on Laws)**

SECTION 1. - **RATIONALE.** The increase of Tourist Guides, Coordinators and Escorts in the Island of Boracay has become a significant and economically viable trade that the foreigners themselves have entered into to facilitate the travel of their own countrymen visiting the Island. The amendment of the existing Ordinance to include foreigners is thus fitting to further regulate this kind of venture and safeguard the welfare of our foreign guests in Boracay Island.

SECTION 2. **AMENDMENT.** The title of Municipal Ordinance No. 164, Series of 2002 is hereby amended to read as follows:

"An Ordinance Setting Guidelines to Regulate the Operation of Foreign and Local Tourist Guides, Coordinators, and Escorts within the Municipality of Malay, Aklan."

SECTION 3. - **AMENDMENT.** Section 1 of M.O. No. 164, s. 2002 is hereby amended to read as follows:

x x x x

"(a) **TOURIST GUIDE** - a local or foreign individual who guides tourists, both local or 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** - a local or foreign 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, local or foreign alike, such as snorkeling, diving, boating, island hopping, banana riding and other similar activities.

(c) **TOURIST ESCORT** - a local or foreign 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."

x x x x

SECTION 4. - **AMENDMENT.** Section 3 of M.O. No. 164, s. 2002 is hereby amended to read as follows:

"Section 3. **REGISTRATION AND LICENSING.** All local or foreign 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 5. - **AMENDMENT.** Section 4 of M.O. No. 164, s. 2002 is hereby amended to read as follows:

"Section 4. **PRE-REQUISITE DOCUMENTS FOR REGISTRATION AND LICENSING.** Local or Foreign Tourist Guides, Coordinators and Escorts shall submit the following as pre-requisites for registration and issuance of Municipal License or Mayor's Permit:"

x x x x

SECTION. 6. - **AMENDMENT.** Section 4 (b) and (c) of M.O. No. 164, s. 2002 are hereby amended to read as follows:

x x x x

"(b) *Foreign Tourist Guides, Coordinators and Escorts:*"

x x x x

"(c) *For Local and Foreign tourist guides, coordinators and escorts employed by resorts, hotels, lodging houses and other similar establishments:*"

x x x x

SECTION 7. - **AMENDMENT.** Section 5 of M.O. No. 164, s. 2002 is hereby amended to read as follows:

"Section 5. **FEES. REGISTRATION AND LICENSING.** Local and Foreign 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>		
	<u>Malaynon</u>	<u>Non-Malaynon</u>	<u>Foreign</u>
Tourist Guide	Php3,000.00	Php3,000.00	Php10,000.00
Tour Escort	1,000.00	1,500.00	10,000.00
Tour Coordinator	1,000.00	1,500.00	10,000.00

**A n n u a l L i c e n s e F e e**

	<u>Malaynon</u>	<u>Non-Malaynon</u>	<u>Foreign</u>
Tourist Guide	Php5,000.00	Php5,000.00	Php10,000.00
Tour Escort	2,000.00	2,500.00	10,000.00
Tour Coordinator	2,000.00	2,500.00	10,000.00"

SECTION 8. - **AMENDMENT.** Section 7 of M.O. No. 164, s. 2002 is hereby amended to read as follows:

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

SECTION 9. - - **AMENDMENT.** Section 8 of M.O. No. 164, s. 2002 is hereby amended to read as follows:

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

**FIRST OFFENSE -** Warning and a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00)

**SECOND OFFENSE-** One (1) month suspension and fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00)."

**THIRD AND SUBSEQUENT OFFENSES -** Cancellation of Mayor's Permit and a fine of TWO THOUSAND FIVE HUNDRED PESOS (Php2,500.00) or imprisonment of not more than thirty (30) days or both, at the discretion of the Court."


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

**ENACTED.** MARCH 13, 2012.

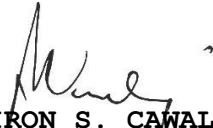
**APPROVED.** APRIL 10, 2012.

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I HEREBY CERTIFY to the correctness of the afore-quoted Resolution.

  
**CONCORDIA S. ALCANTARA**  
Secretary to the Sangguniang Bayan

ATTESTED:

  
**CECIRON S. CAWALING**  
Municipal Vice Mayor  
Presiding Officer

APPROVED:

  
**JOHN P. YAP**  
Municipal Mayor

**APPROVED. SP RESOLUTION No. 2012-136, dtd. 5-23-12**

