

REPUBLIC OF THE PHILIPPINES
HOUSE OF REPRESENTATIVES
Quezon City



EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 2270

Introduced by **HON. KRISTINE ALEXIE B. TUTOR**
Third District, Bohol

Explanatory Note

The tourism industry has long been recognized as a key instrument in the country's economic growth and a vital element in the national economy. According to the Philippine Statistics Authority, the country's tourism industry saw a 14.3% year-on-year jump in value to P2.2 trillion in 2018 compared to previous year's record of P1.9 trillion. The PSA likewise reported a 14.1% year-on-year increase in domestic tourists to 110 million in 2018, exceeding the National Tourism Development Plan's target of reaching 89.2 million tourists by 2022.

While it has been established that the tourism industry generally has a positive impact on economic growth and employment, the uncontrolled growth of the industry can bring serious environmental and socio-cultural problems leading to a decline in the quality of tourists' satisfaction and experience. The tourism industry greatly depends on a clean and healthy environment, hence, there is a need to adopt appropriate tools or approaches in order to sustain the growth of the tourism industry.

Carrying capacity indices is a tool for evaluation of the impacts caused from tourism policy. The World Tourism Organization defined carrying capacity as, "The maximum number of people that may visit a tourist destination at the same time, without causing destruction of the physical, economic, socio-cultural environment and an unacceptable decrease in the quality of visitors' satisfaction. » (UNEP/MAP/PAP, 1997).

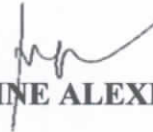
Carrying capacity played a huge role in ensuring the sustainability of Boracay, one of the country's well-known tourist destination. In the study made by the DENR, Boracay has exceeded its capacity in terms of population, infrastructure and waste generation which

threatened its environmental sustainability and economic viability leading to its 6-month shutdown as ordered by the President.

This measure seeks to establish carrying capacity standards in tourism areas and destinations in the country. This bill likewise imposes penalties for failure or refusal to comply and implement the result of the carrying capacity study.

Managing the number of tourists a tourist destination could accommodate while minimizing or eradicating damage to the environment is crucial to the sustainable growth of the tourism industry, and in safeguarding the growth and employment in rural and coastal areas

In view of the foregoing, approval of this measure is earnestly sought.



HON. KRISTINE ALEXIE B. TUTOR

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AN ACT
ESTABLISHING THE TOURISM CARRYING CAPACITY STANDARDS IN THE
COUNTRY, AND PROVIDING PENALTIES THEREOF

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 **SECTION 1. Short Title.** – This Act shall be known as “The Tourism
2 Carrying Capacity Act”.

3

4 **SEC. 2. Declaration of Policy.** – The State shall promote a tourism
5 industry that is ecologically sustainable, responsible, participative, culturally
6 sensitive, economically viable, and ethically and socially equitable for local
7 communities.

8 Towards this end, the State shall endeavor to adopt and implement
9 approaches/ tools that would promote balance between economic growth, and
10 environmental and cultural protection in the tourism industry.

11

12 **SEC. 3. Definition of Carrying Capacity.** – As used in this Act, the term
13 “Carrying Capacity” shall mean the maximum number of people that may visit a
14 tourist destination at the same time, without causing destruction of the physical,
15 economic, socio-cultural environment and an unacceptable decrease in the quality
16 of visitors' satisfaction.

17

18 **SEC. 4. Conduct of Carrying Capacity Study.** – The Department of
19 Environment and Natural Resources (DENR) is hereby mandated to regularly

1 conduct and identify tourism areas and destinations for the conduct of the carrying
2 capacity study.

3 The DENR shall present the result of their study to local stakeholders and
4 thereafter strictly implement the result of this study. The DENR shall extend
5 assistance to local government units and other local stakeholders in the proper
6 observance and implementation of the standards based on the study.

7 The DENR shall have the power to impose penalties for failure or refusal
8 to comply and implement the result of the carrying capacity study.

9

10 **SEC. 5. Reporting to Congress.** – The Secretary of the DENR shall
11 submit a report to relevant Committees of Congress annually, upon the effectivity
12 of this Act, detailing the following:

- 13 1) the manner in which the appropriated funds were expended;
- 14 2) the number of tourist destinations that the DENR has performed the
15 carrying capacity study and the standards that were established in the
16 said destinations;
- 17 3) the specific local government units that were assisted in connection
18 with the established standards in their locality; and,
- 19 4) other relevant information gathered as a result of the expenditures
20 made in pursuit of this Act.

21

22 **SEC. 6. Penalties.** – Any official or employee of the DENR who fail or
23 refuse to perform the functions stated under this Act shall be guilty of committing
24 grave offense punishable by suspension of six (6) months and one (1) day to one
25 (1) year for the first offense and dismissal from the service for the second offense.
26 The erring official or employee of the DENR shall likewise suffer imprisonment
27 for not less than six (6) months nor more than (2) years, at the discretion of the
28 court.

29

30 **SEC. 7. Implementing Rules and Regulations.** – The Department of
31 Environment and Natural Resources, in coordination with the Department of
32 Tourism (DOT), the Department of Interior and Local Government (DILG),
33 representatives from the tourism industry, and other concerned government

1 agencies and non-government organizations, shall promulgate the implementing
2 rules and regulations of this Act.

3

4 **SEC. 8. Appropriations.** – The amount necessary for the implementation
5 of this Act shall be included to the annual budget of the Department of
6 Environment and Natural Resources in the General Appropriations Act.

7

8 **SEC. 9. Separability Clause.** – If any provision of this Act shall be held
9 unconstitutional or invalid, the other provisions not otherwise affected shall
10 remain in full force and effect.

11

12 **SEC. 10. Repealing Clause.** – All laws, executive orders or issuances, or
13 any parts thereof which are inconsistent herewith are hereby repealed or amended
14 accordingly.

15

16 **SEC. 11. Effectivity Clause.** – This Act shall take effect fifteen (15) days
17 after its publication in at least two (2) newspapers of general circulation.

Approved,