

SIXTEENTH CONGRESS OF THE REPUBLIC  
OF THE PHILIPPINES  
First Regular Session



Senate  
Office of the Secretary

14 APR -1 P5:10

SENATE

S.B. No. 2184

RECEIVED BY: *ji*

Introduced By Senator Manuel "Lito" M. Lapid

AN ACT  
PROVIDING FOR THE DEVELOPMENT AND PROMOTION OF FARM  
TOURISM IN THE PHILIPPINES AND FOR OTHER PURPOSES

EXPLANATORY NOTE

Farm tourism merges two productive industries: agriculture and tourism. It is a venture at a farm, ranch or agricultural plant for the education and enjoyment of tourists, and generates income for the owner. The term may be a new concept to us, but it has been a thriving industry in Europe, Australia, Canada, and the United States of America for quite some time now.

The Philippines is primarily an agricultural country with rice, corn, coconut, sugarcane, bananas, pineapple, coffee, mangoes, tobacco, and abaca as the country's main agricultural crops. This provides ample opportunity for the Philippines to engage in farm tourism activities such as planting, picking fruits, harvesting vegetables, tasting wine or juices, tending bees, milking cows, watching butterflies, fishing, horseback riding and other rustic activities or pursuits. The collaboration of agriculture and tourism can help boost the country's economy by improving the income and potential economic viability of small farms and rural communities. Furthermore, farm tourism provides additional employment and income opportunities for farmers, farm owners and producers with activities such as shopping, dining and lodging by tourists. Additional markets for local produce, products and services are bound to emerge when the growth of farm tourism is supported. Guimaras Island's Agri-tourism Circuit is a perfect example of this emerging farm tourism sector. The island province's circuit links eight farms in five municipalities. By following the circuits, tourists are educated and immersed in farm activities such as beekeeping, organic fruit and vegetable farming, and aquaculture.

This legislative measure promotes and develops farm tourism in the country; strengthen sustainable organic agriculture in a farm tourism environment; uplift the quality of life of farmers, farmer-land owners, and rural people; provide an avenue for the public to learn more about food production; generate employment in the farming communities; engage small farmers and farm workers in trainings and knowledge transfers; and encourage the Filipino youth to appreciate and support farming.

This bill aims to accomplish the following:

1. To create an agency that shall be called the Philippine Farm Tourism Industry Development Coordinating Council, whose function is to coordinate the activities of the various agencies and instrumentalities to ensure the development and promotion of farm tourism in the country.

2. The Council shall identify areas that are prime for farm tourism but require infrastructure projects.

3. The Council shall also be encouraged to establish at least one (1) tourism farm in every province.

4. To launch and pursue a nationwide educational campaign to help realize the policies and provisions of this Act.

5. To develop programs establishing links between stakeholders in the farm tourism industry and Government Financial Institutions (GFIs) and other financial cooperatives

6. Relevant government agencies shall also establish programs that promote and provide adequate training on adapting technologies to farm tourism professionals and operators, strengthen farm tourism cooperatives and organizations, and afford opportunities for participation in international conventions, workshops and fora.

7. To maintain a comprehensive farm tourism information system, which shall serve as a repository of all educational research and information related to farm tourism.

In view of the foregoing, early passage of this bill is earnestly sought

  
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- Senator  
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1 surface and subsurface conditions, natural conditions of land, vegetation, waters,  
2 the behavior of wild or domestic animals and ordinary dangers of structures or  
3 equipment ordinarily used in farming operations. Inherent risks of farm tourism  
4 activity also include the potential of a participant to act in a negligent manner  
5 that may contribute to injury to the participant or others, including failing to  
6 follow instructions given by the farm tourism professional or operator, or failing  
7 to exercise reasonable caution while engaging in the farm tourism activity.

8 f) *Participant* means any person including, but not limited to other farmers,  
9 visitors, travelers and tourists, who engages in a farm tourism activity.

10 **Sec. 4. *Philippine Farm Tourism Framework for Development.*** - The Department of  
11 Tourism (DOT), in consultation with the Department of Agriculture (DA), Department  
12 of Environment and Natural Resources (DENR), Department of Science and Technology  
13 (DOST), farm tourism owners and organizations, local government units, and the  
14 private sector, shall formulate a five-year Framework for Development, to be validated  
15 and updated annually. Such Framework shall serve as a guide in the formulation and  
16 implementation of plans, programs and projects for the development, and promotion of  
17 farm tourism, as envisioned in this Act. The Framework shall likewise provide for the  
18 following:

19 a. *Site Identification* - The DOT, in coordination with the DA, DENR,  
20 DAR and DOST, and the municipal, city and provincial governments  
21 concerned, shall identify viable farm tourism sites in the country, within  
22 six (6) months after the effectivity of this Act: *Provided*, that such site  
23 identification shall be reviewed at appropriate intervals to ensure  
24 consistency with the agrarian reform program and the national land use  
25 policy.

26 b. *Educational and Promotional Support* - The DOT shall provide  
27 marketing advice and promotional support of accredited farm tourism  
28 sites in the country. The Department of Education (DepEd), Commission  
29 on Higher Education (CHED); and the Philippine Information Agency  
30 (PIA) shall launch and pursue a nationwide campaign to help realize the  
31 policies and provisions of this Act, to promote farm tourism and inform  
32 the people of new farm tourism sites, and to promote the principle of  
33 sustainable development.

34 c. *Investment Promotion and Facilitation* - The DOT and DTI shall  
35 develop programs establishing links between stakeholders in the farm  
36 tourism industry and Government Financial Institutions (GFIs) and other  
37 financial cooperatives. The DOT and DTI shall likewise develop and  
38 implement programs that will establish reasonable and innovative  
39 investment incentives to attract more players in the farm tourism  
40 industry;

41 d. *Support and Extension* - The Agricultural Training Institute (ATI) of  
42 the DA, together with the Cooperative Development Authority (CDA),  
43 state universities and colleges, and other relevant government agencies  
44 shall establish programs that promote and provide adequate training on

1 adapting technologies to farm tourism professionals and operators,  
2 strengthen farm tourism cooperatives and organizations, and afford  
3 opportunities for participation in international conventions, workshops  
4 and fora.

5 *e. Research and Development* – The DOT and DA, together with the  
6 Philippine Council for Agriculture, Aquatic and Natural Resources  
7 Research and Development (PCAARRD), shall establish and maintain a  
8 comprehensive farm tourism information system, which shall serve as a  
9 repository of all educational research and information related to farm  
10 tourism. The DOT and DA, in coordination with concerned agencies, shall  
11 likewise establish pilot farms in identified areas and prescribe the highest  
12 standards for the operation and maintenance of such tourism farms;

13 *f. Market Promotion and Development* – The DOT, together with the  
14 DTI, shall link-up agribusiness cooperatives and organizations directly  
15 with consumers' cooperatives and organizations. This also includes  
16 exploring national and international markets and facilitating the  
17 participation of local farm tourism professionals and operators in local  
18 and international conferences, trade fairs and exhibits;

19 *g. Infrastructure Development* – The Department of Public Works and  
20 Highways (DPWH) in cooperation with the concerned agencies shall  
21 prepare and implement a nationwide plan for the development of farm  
22 tourism markets; prioritize the construction of farm-to-market roads  
23 linking the farm tourism sites to markets, bus terminals, airports, train  
24 stations, ports and highways; and

25 *h. Establishment of Tourism Farms* – Within the scope of the five-year  
26 development framework, the DA shall encourage the establishment of at  
27 least one (1) tourism farm in every province in the country.

28 **SEC. 5. Implementing Agency.** - There is hereby created a Philippine Farm  
29 Tourism Industry Development Coordinating Council (PFTIDCC), herein referred to as  
30 the **Council**, administratively attached to the DOT, charged with the main function of  
31 coordinating the activities of the various agencies and instrumentalities to ensure the  
32 development and promotion of farm tourism in the country. If ever practicable and  
33 required, the Chairman of the Council shall submit an annual report to both Houses of  
34 Congress on the status of the implementation of this Act.

35 The Council shall have the following specific functions:

36 a. Prepare and implement a Comprehensive National Farm Tourism  
37 Industry Development Plan;

38 b. Recommend to the DA and DOT the areas that are prime for farm  
39 tourism but require infrastructure projects such as farm to market roads;

40 c. Encourage the establishment of at least one (1) tourism farm in  
41 every province in the country;

- 1 d. Launch and pursue a nationwide educational campaign to help  
2 realize the policies and provisions of this Act;
- 3 e. Establish and maintain a comprehensive farm tourism information  
4 system;
- 5 f. Formulate and implement farm tourism research and development  
6 projects, such as, but not limited to, organic farming, aqua culture,  
7 duckweed culture, livestock and poultry raising, aimed at increasing  
8 resource productivity, improving resource use efficiency, and ensuring  
9 the long-term sustainability of the country's farm tourism program;
- 10 g. Provide for the registration, accreditation and the issuance of  
11 identification cards to farm tourism professionals and operators;
- 12 h. Assist the LGUs in developing their technical capability in the  
13 development, management, regulation, conservation, and protection of  
14 farm tourism sites;
- 15 i. Provide avenues for quality trainings, seminars, conventions,  
16 workshops among others;
- 17 j. Monitor and review farm tourism agreements between Filipino  
18 citizens and foreigners who seek to invest in the farm tourism sector;
- 19 k. Establish cooperation among farm tourism stakeholders, financial  
20 institutions, government agencies, non-government organizations, people's  
21 organizations and other like-minded institutions and individuals in terms of  
22 partnerships and linkages;
- 23 l. Enforce all laws, formulate and enforce all rules and regulations governing  
24 the conservation and management of farm tourism sites; and
- 25 m. Perform such other related functions which shall promote the  
26 development, promotion, conservation, management, protection and  
27 utilization of farm tourism sites.

28 **SEC. 6. Council Composition.** -The Council shall be composed of the following:

- 29 a. Secretary of the Department of Tourism as Chairman;
- 30 b. Secretary of the Department of Agriculture as Vice-Chairman;
- 31 c. Undersecretary for Tourism Planning and Promotions of the DOT as head of the  
32 Council Secretariat;
- 33 d. Director of the DA-Agricultural Technical Institute as head of the Technical  
34 Working Group;
- 35 e. Secretary of the Department of Environment and Natural Resources (DENR);
- 36 f. Secretary of the Department of Public Works and Highways (DPWH);
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- 1 g. Secretary of the Department of Trade and Industry (DTI);  
2 h. Secretary of the Department of Agrarian Reform (DAR);  
3 i. Secretary of the Commission on Higher Education (CHED);  
4 j. Secretary of the Department of Education (DepEd);  
5 k. Director General of the Philippine Information Agency (PIA);  
6 l. Executive Director of the DOST-PCAARRD;  
7 m. Representative from the League of Municipalities of the Philippines;  
8 n. Representative from the League of Cities of the Philippines; and  
9 o. Two (2) representatives from farm tourism associations/organizations  
10 recognized by the DA or DOT.

11 The Council shall regularly meet every three months and may hold special  
12 meetings, whenever the need arises, to consider urgent matters upon the call of the  
13 Chairman or any eight (8) Council members.

14 **SEC. 7. Council Secretariat.** - The Council Secretariat shall be headed by the  
15 Undersecretary for Tourism Planning and Promotions of the DOT. Technical support  
16 shall be provided by the Technical Working Group as headed by the Director of the  
17 Agricultural Training Institute of the DA.

18 The Secretariat and technical staff shall be detailed from the existing personnel of the  
19 Department of Tourism without prejudice to the designation by the Council of such  
20 additional staff members as it may deem necessary for the proper discharge of its  
21 functions and responsibilities.

22 **SEC. 8. Strict Adherence with Environmental Laws.** - The utilization and  
23 development of all farm tourism sites under this Act shall be regulated by the DENR  
24 pursuant to all laws and statutes on the utilization and protection of natural resources  
25 and the environment, and must strictly comply with the land use plan approved by the  
26 local government unit concerned and the requirements imposed by existing DENR  
27 rules, regulations and other issuances, taking into consideration the sustainable use and  
28 development of farm tourism sites.

29 **SEC 9. Incentives and Tax Exemptions.** - Duly accredited farm tourism professionals  
30 and operators are entitled to incentives and tax exemptions pursuant to the following  
31 provisions of the law:

- 32 a) Section 24 of Republic Act 10068 or the Organic Agriculture Act of 2010;  
33 b) Section 62 of Republic Act 6938 or the Cooperative Code of the Philippines;  
34 c) Section 133 (m) and (n) of Republic Act 7160 or the Local Government Code  
35 of 1991;  
36 d) Section 109 of RA 8435 or the Agriculture and Fisheries Modernization Act  
37 of 1997, as amended by Republic Act 9281;

1 e) Chapter 3 (Credit) of Republic Act 8435 or the Agriculture and Fisheries  
2 Modernization Act of 1997;

3 f) Article 2 of the Agri-Agra Reform Credit Act of 2009; and

4 g) Sections 7, 8, 9 and 10 of Republic Act 9178 or the Barangay Micro Business  
5 Enterprises (BMBE's) Act of 2002.

6 **SEC. 10. Registration and Accreditation of Farm Tourism Operations.** - The  
7 Council shall provide guidelines and criteria in the registration of farm tourism  
8 operations. The DOT shall assess the application and endorse the result to the Council  
9 for approval. The registration shall be on a voluntary basis. There is no fee for  
10 registration and the list will be made available to the public by the Council. All  
11 registered operations will be promoted by the DA and DOT in conjunction with all  
12 other tourism and rural development promotions. Registration is valid for five (5) years.

13 **SEC. 11. Warning Signage at Farm Tourism Locations.**

14 1) Every farm tourism professional must post and maintain signs that contain  
15 the warning notice specified in subsection (3) of this section. The sign must be  
16 placed in a clearly visible location at the entrance to the farm tourism location  
17 and at the site of the farm tourism activity. The warning notice must consist  
18 of a sign in black letters with each letter to be a minimum of one inch in  
19 height. Every written contract entered into by a farm tourism professional for  
20 the providing of professional services, instruction, or the rental of equipment  
21 to a participant, whether or not the contract involves farm tourism activities  
22 on or off the location or at the site of the farm tourism activity, must contain  
23 in clearly readable print the warning notice specified in subsection (2) of this  
24 section.

25 2) The signs and contract described in subsection (1) of this section must contain  
26 the following notice of warning:

27 **“Warning:** Under Philippine law, there is no liability for an injury to or death of  
28 a participant in a farm tourism activity conducted at this farm tourism location if  
29 such injury or death results from the inherent risks of the farm tourism activity.  
30 Inherent risks of farm tourism activities include, among others, risks of injury  
31 inherent to land, equipment, and animals, as well as the potential for you to act  
32 in a negligent manner that may contribute to your injury or death. You are  
33 assuming the risk of participating in this farm tourism activity.”

34 3) All registered operations shall provide to participants a written description of  
35 the registered farm tourism activities upon request. This signage provides  
36 that participants are assuming responsibility of any inherent risk. This act  
37 does not limit the liability of willful or wanton conduct by any farm tourism  
38 operators.

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1 Failure to comply with the requirement concerning warning signs and notices  
2 provided in this subsection will prevent a farm tourism professional from invoking the  
3 privileges of immunity provided in Section 12 in this Act.

4 **SEC. 12. *Liability of Farm Tourism Professionals.***

5 1) A farm tourism professional is not liable for injury to or death of a participant  
6 resulting from the inherent risks of farm tourism activities, so long as the  
7 warning contained in Section 11 is posted as required and except as provided  
8 in subsection (2) of this section.

9 2) A farm tourism professional can be held liable for any of the following acts:

10 a. Commits an act or omission that constitutes negligence of willful or  
11 wanton disregard for the safety of the participant, which consequently  
12 causes injury, damage, or death to the participant.

13 b. Has actual knowledge or reasonably should have known of a dangerous  
14 condition on the land, facilities, or equipment used in the activity or the  
15 dangerous propensity of a particular animal used in such activity and  
16 does not make the danger known to the participant, which causes injury,  
17 damage, or death to the participant.

18 Any limitation on legal liability afforded by this section to a farm tourism  
19 professional is in addition to any other limitations of legal liability otherwise provided  
20 by law.

21 **SEC. 13. *Injury to Trespassers on Agricultural Lands.*** - A farm tourism operator  
22 shall not be held liable for negligence that results in the death of, injury to, or damage to  
23 a person who has engaged or is engaging in conduct on the property of the farm  
24 tourism operator that is unlawful under either Section 14 or Section 15 of this Act or  
25 under Section 2 of the Republic Act 3815 or the Revised Penal Code of the Philippines.

26 **SEC. 14. *Posting of Signs on Farm Tourism Sites.*** - Signs prominently placed not  
27 more than one hundred fifty (150) meters apart along, and at each corner of the  
28 boundaries of the farm, in letters of not less than three (3) inches in height, the words  
29 "NO TRESPASSING" and in addition thereto the name/s of the farm tourism  
30 professional and/or operator.

31 **SEC. 15. *Removal of Notices on Farm Tourism Sites.*** - It is unlawful for any  
32 person to willfully remove, destroy, mutilate, or commit any act designed to remove,  
33 mutilate, or reduce the legibility or effectiveness of any posted notice placed by the farm  
34 tourism professional and/or operator pursuant to the provisions in this Act or as  
35 provided by law.

36 **SEC. 16. *Implementing Rules and Regulations.*** - The Council is hereby given full  
37 power and authority to promulgate such rules and regulations it may deem proper and  
38 necessary for the effective implementation of this Act.

1           **SEC. 17. Separability Clause.** - If any part or provision of this Act is declared  
2 unconstitutional or invalid, other parts or provisions thereof which are not affected  
3 shall thereby continue to be in full force and effect.

4           **SEC. 18. Repealing Clause.** - All laws, decrees, executive orders, rules and  
5 regulations and other issuances or parts thereof, inconsistent with the provisions of this  
6 Act, are hereby repealed or modified accordingly.

7           **SEC. 19. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its  
8 publication in the Official Gazette or in two (2) national newspapers of general  
9 circulation.

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11           *Approved,*

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