



## HOUSE OF REPRESENTATIVES

**H. No. 5299**

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BY REPRESENTATIVES GARIN (S.), RELAMPAGOS, ALVAREZ (F.), ROMAN,  
GONZALEZ, LANETE, MACROHON-NUÑO, KHO, PANCHO,  
ANGARA-CASTILLO, CO, BATOCABE, ABELLANOSA AND  
ALVAREZ (M.), PER COMMITTEE REPORT NO. 524

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

*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 Farm  
2   Tourism Act of 2015”.

3           SEC. 2. *Declaration of Policy.* – Agriculture plays a major role in the  
4   country’s economic and cultural development. It is therefore the declared  
5   policy of the State to provide support to agriculture through appropriate  
6   technology and research, and adequate financial, production, marketing and  
7   other support services.

8           Specifically, the State shall seek to promote awareness and  
9   understanding of the importance and benefits of agriculture, especially among  
10   the youth; promote environment-friendly, efficient and sustainable farm  
11   practices; provide alternative recreation facilities and farm tourism activities  
12   for families, students and other clientele; promote health and wellness with

1 high-quality farm-produced food; and generate economic opportunities for the  
2 people through farming. Towards these ends, this Act shall establish a  
3 comprehensive program for the development and promotion of farm tourism.

4 SEC. 3. *Definition of Terms.* – As used in this Act:

5 (a) *Farm tourism* refers to the practice of attracting visitors and  
6 travelers to farm areas for production, educational and recreational purposes.  
7 It involves any agricultural-based operation or activity that brings farmers,  
8 visitors, or tourists to a farm who want to be educated and trained on farming  
9 and its related activities, and provides a venue for outdoor recreation and  
10 accessible family outings, without necessarily altering the agricultural nature of  
11 the land;

12 (b) *Farm tourism activity* refers to any activity in a farm tourism site,  
13 whether for educational, recreational, or entertainment purposes, that a  
14 participant or group of participants may avail of, without necessarily paying for  
15 such. This shall include planting, fruit-picking, floral oil extraction, food  
16 production, harvesting vegetables, tasting wine or juices, tending bees, milking  
17 cows, watching butterflies, horseback riding, fishing, and other farm activities  
18 or pursuits;

19 (c) *Farm tourism practitioner* refers to a farmer, a farm owner, or a  
20 farmers' cooperative or association engaged in the business of providing farm  
21 tourism activities, whether or not for compensation;

22 (d) *Farm tourism operator* refers to the owner or recognized occupant  
23 of the farm or any person who is in charge of running a farm tourism site;

24 (e) *Farm tourism site* refers to a place where farm tourism activities are  
25 carried out;

26 (f) *Accreditation* refers to a certification officially recognizing a farm  
27 tourism site as having complied with the minimum standards for farm tourism;

1           (g) *Extension service provider (ESP)* refers to an organization  
2 accredited by the Department of Agriculture to undertake training and  
3 complementary extension services for farm tourism practitioners or operators;

4           (h) *Inherent risks of farm tourism activity* refers to dangers or  
5 conditions that are integral parts of farm tourism which may cause harm or  
6 injury. These include certain hazards associated with surface and subsurface  
7 conditions, natural condition of land, vegetation, waters, behavior of wild and  
8 domestic animals, weak structures, negligent attitude of participants, and  
9 failure to follow instructions on the use of farm equipment or to exercise  
10 reasonable caution while engaged in farm tourism activities;

11           (i) *Participant* refers to any person, including other farmers, visitors,  
12 travelers and tourists, who engages in a farm tourism activity in a farm tourism  
13 site; and

14           (j) *Sustainable agriculture* refers to the efficient production of safe  
15 and high quality agricultural products that protects and improves the natural  
16 environment, the social and economic conditions of farmers, their employees  
17 and local communities, and safeguards the health and welfare of all farmed  
18 species.

19           SEC. 4. *Philippine Farm Tourism Framework for Development.* –  
20 The Department of Tourism (DOT) and the Department of Agriculture (DA),  
21 in collaboration with the Department of Environment and Natural Resources  
22 (DENR), the Department of Science and Technology (DOST), the Department  
23 of Public Works and Highways (DPWH), the Department of Agrarian Reform  
24 (DAR), the Department of Trade and Industry (DTI), the Department of  
25 Education (DepED), the Commission on Higher Education (CHED), the  
26 National Economic and Development Authority (NEDA), farm tourism  
27 practitioners and organizations, local government units (LGUs), and the private  
28 sector, shall formulate a six (6)-year farm tourism strategic development plan.

1 The development plan shall be evaluated and updated every three (3) years  
2 after its implementation. The development plan shall serve as a guide in the  
3 formulation and implementation of programs and projects for the development  
4 and promotion of farm tourism, as envisioned in this Act. The development  
5 plan shall likewise provide for the following:

6 (a) General Criteria for Identification and Designation of Farm  
7 Tourism Sites – The DOT, in coordination with the DA, the DENR, the DAR,  
8 the DOST and concerned LGUs, shall formulate a general set of criteria on any  
9 geographic area where a farm tourism site may be established to ensure that the  
10 development will encourage more productivity and benefits to the farmers,  
11 while likewise ensuring quality experience provided to participants. The  
12 development of the criteria shall encourage the identification and development  
13 of different forms of farm tourism such as community-based development,  
14 public-private partnership and farm tourism enterprise zones;

15 (b) Educational and Promotional Support – The DOT shall provide  
16 marketing advice and promotional support to accredited farm tourism sites in  
17 the country. The DepED, the CHED, and the Philippine Information Agency  
18 (PIA) shall launch and pursue a nationwide campaign to help realize the  
19 policies and provisions of this Act, to promote farm tourism, inform the people  
20 of new farm tourism sites, and promote the principle of sustainable  
21 development;

22 (c) Investment Promotion and Facilitation – The DOT and the DTI, in  
23 collaboration with the Department of the Interior and Local Government  
24 (DILG) and the LGUs, shall develop programs that will establish and facilitate  
25 links between stakeholders in the farm tourism industry and government  
26 financial institutions (GFIs) and other financial cooperatives. The DOT and  
27 the DTI shall likewise develop and implement programs that shall establish

1 reasonable and innovative investment incentives to attract more investors and  
2 farm tourism practitioners in the farm tourism industry;

3 (d) Support and Extension – The Agricultural Training Institute (ATI)  
4 of the DA, together with the Cooperative Development Authority (CDA), state  
5 and private universities and colleges, and other relevant government agencies  
6 shall develop and establish programs that shall promote the adoption of  
7 technologies appropriate for farm tourism, provide adequate training and other  
8 extension services for farm tourism practitioners and operators, strengthen  
9 farm tourism cooperatives and organizations, and afford them with  
10 opportunities for participation in international conventions, workshops and  
11 fora;

12 (e) Research and Development – The Philippine Council for  
13 Agriculture, Aquatic and Natural Resources Research and Development  
14 (PCAARRD) of the DOST shall coordinate research and development  
15 activities in agriculture, aquatic and natural resources (AANR) relevant to the  
16 technology needs of the farm tourism sites, and provide the results to the DOT,  
17 the DA and other concerned agencies and organizations;

18 (f) Market Promotion and Development – The DOT, through the  
19 Tourism Promotions Board (TPB), in collaboration with the DTI, shall  
20 develop programs that shall promote farm tourism activities for local  
21 and foreign markets. This shall also include exploring national and  
22 international markets and facilitating the participation of local farm tourism  
23 practitioners and operators in local and international conferences, trade fairs  
24 and exhibits;

25 (g) Infrastructure Development – The DPWH, in cooperation with  
26 other concerned agencies, shall prepare and implement a nationwide plan  
27 based on identified sites, for the development of farm tourism markets, and

1 prioritize the construction of farm-to-market roads linking the farm tourism  
2 sites to markets, bus terminals, airports, train stations, ports and highways; and

3 (h) Establishment of Tourism Farms – Within the scope of the six  
4 (6)-year farm tourism strategic development plan, the DA shall encourage the  
5 establishment of at least one (1) tourism farm in every province in the country.

6 SEC. 5. *Implementing Agency.* – There is hereby created a Philippine  
7 Farm Tourism Industry Development Coordinating Council (PFTIDCC),  
8 hereafter referred to as the Council, charged with the main function of  
9 coordinating the activities of various agencies and instrumentalities to ensure  
10 the development and promotion of farm tourism in the country.

11 The Council shall have the following specific functions:

12 (a) Prepare and implement a Comprehensive National Farm Tourism  
13 Industry Development Plan;

14 (b) Recommend to the DOT and the DA areas that are prime for farm  
15 tourism but require infrastructure projects such as farm-to-market roads;

16 (c) Encourage the establishment of at least one (1) tourism farm in  
17 every province in the country;

18 (d) Launch and pursue a nationwide educational campaign to help  
19 realize the policies and provisions of this Act;

20 (e) Establish and maintain a comprehensive farm tourism information  
21 system;

22 (f) Formulate and implement farm tourism research and development  
23 projects, such as organic farming, aquaculture, duckweed culture, and livestock  
24 and poultry raising aimed at increasing resource productivity, improving  
25 resource use efficiency, and ensuring the long-term sustainability of the  
26 country's farm tourism program;

27 (g) Provide for the accreditation and the issuance of identification cards  
28 to farm tourism practitioners and operators;

1 (h) Assist the LGUs in developing their technical capability in the  
2 development, management, regulation, conservation and protection of farm  
3 tourism sites;

4 (i) Provide avenues for quality trainings, seminars, conventions, and  
5 workshops, among others;

6 (j) Monitor and review farm tourism agreements between Filipino  
7 citizens and foreigners who seek to invest in the farm tourism sector;

8 (k) Establish cooperation among farm tourism stakeholders, financial  
9 institutions, government agencies, nongovernment organizations, people's  
10 organizations and other like-minded institutions and individuals in terms of  
11 partnerships and linkages;

12 (l) Enforce all laws, formulate and enforce all rules and regulations  
13 governing the conservation and management of farm tourism sites;

14 (m) Submit, through the Chairperson of the Council, an annual report to  
15 Congress on the implementation of this Act and the issues and concerns  
16 affecting the farm tourism industry; and

17 (n) Perform such other related functions which shall enhance the  
18 development, promotion, conservation, management, protection and utilization  
19 of farm tourism sites.

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

- 22 (a) Secretary of the DOT, as Chairperson;  
23 (b) Secretary of the DA, as Co-Chairperson;  
24 (c) Secretary of the DENR;  
25 (d) Secretary of the DPWH;  
26 (e) Secretary of the DTI;  
27 (f) Secretary of the DAR;  
28 (g) Secretary of the DepED;

1 (h) Secretary of the DOST;

2 (i) Chairperson of the CHED;

3 (j) Director General of the NEDA;

4 (k) Representative from the Union of Local Authorities of the  
5 Philippines (ULAP); and

6 (l) Six (6) representatives from farm tourism associations or  
7 organizations recognized by the DA or the DOT, with Luzon, Visayas and  
8 Mindanao, each having equal representation.

9 The Secretary of the DOT and the Secretary of the DA shall take turns  
10 in chairing the Council. Each shall have a term of three (3) years.

11 The Council shall meet every three (3) months and may hold special  
12 meetings as needed, to consider matters upon the call of the Chairperson or any  
13 nine (9) Council members.

14 The Council may create steering committees and technical working  
15 groups as it may deem necessary, and may call upon other agencies of  
16 government and private sector groups.

17 *SEC. 7. Council Secretariat.* -- The Secretaries of the DOT and the  
18 DA shall designate a Council Secretariat and technical staff who shall come  
19 from the existing personnel complement of the said Departments. This shall be  
20 without prejudice to the designation by the Council of such additional staff as  
21 it may deem necessary for the proper discharge of its functions and  
22 responsibilities.

23 *SEC. 8. Strict Adherence with Environmental Laws.* -- The  
24 development and operations of all farm tourism sites under this Act shall be  
25 regulated by the DENR pursuant to all laws and statutes on the utilization and  
26 protection of natural resources and the environment, and must strictly comply  
27 with the land use plan approved by the LGU concerned and the requirements



1 imposed by existing DENR rules, regulations and other issuances, taking into  
2 consideration the sustainable use and development of farm tourism sites.

3       SEC. 9. *Incentives and Tax Exemptions.* – Duly accredited farm  
4 tourism practitioners and operators may avail of incentives and tax exemptions  
5 pursuant to the following laws: *Provided*, That the provisions of the said laws  
6 are satisfied:

7       (a) Republic Act No. 6938 or the “Cooperative Code of the  
8 Philippines”, as amended by Republic Act No. 9520;

9       (b) Republic Act No. 7160 or the “Local Government Code of 1991”,  
10 as amended;

11       (c) Republic Act No. 8435 or the “Agriculture and Fisheries  
12 Modernization Act of 1997”, as amended by Republic Act No. 9281;

13       (d) Republic Act No. 9178 or the “Barangay Micro Business  
14 Enterprises (BMBEs) Act of 2002”;

15       (e) Republic Act No. 9593 or “The Tourism Act of 2009”;

16       (f) Republic Act No. 10000 or “The Agri-Agra Reform Credit Act of  
17 2009”;

18       (g) Republic Act No. 10068 or the “Organic Agriculture Act of 2010”;  
19 and

20       (h) Any other law under which a farm tourism practitioner or operator  
21 may qualify.

22       SEC. 10. *Accreditation of Farm Tourism Sites.* – The Council shall  
23 provide the guidelines and criteria in the accreditation of farm tourism sites.  
24 The DOT, in coordination with the DA, shall issue the corresponding  
25 certification to a farm tourism site that meets the standards and requirements  
26 set forth by the Council. The DA may also accredit a farm tourism site that has  
27 met the standards and requirements of an extension service provider, as set  
28 forth by the Council.

1 Accreditation shall be on a voluntary basis. All accredited farm tourism  
2 sites shall be promoted by the DOT and the DA, in partnership with the  
3 concerned LGUs and in conjunction with all other tourism and rural  
4 development promotions. The accreditation shall be valid for two (2) years.

5 The DOT and the DA may, at any time, cancel the accreditation of a  
6 farm tourism site or extension service provider found to have violated the set  
7 criteria and guidelines.

8 SEC. 11. *Liability of Farm Tourism Practitioners and Operators.* – A  
9 farm tourism practitioner and operator shall not be held liable for injury to, or  
10 death of, a participant resulting from the inherent risks of farm tourism  
11 activities: *Provided*, That the necessary safety measures as may be required by  
12 law or implementing rules and regulations are complied with.

13 However, a farm tourism practitioner or operator may be held liable for  
14 the following reasons:

15 (a) Commission of an act that constitutes negligence or willful or  
16 wanton disregard for the safety of the participant, which consequently causes  
17 injury, damage, or death to the participant; and

18 (b) Any act of omission, when, despite actual knowledge of or  
19 reasonable presumption of the possession of knowledge about a dangerous  
20 condition on the land, facilities or equipment used in the activity, or of the  
21 dangerous propensity of a particular animal used in such activity does not  
22 make the danger known to a participant, which causes injury, damage, or death  
23 to the participant.

24 Any limitation on legal liability afforded by this section to a farm  
25 tourism practitioner or operator is in addition to any other limitation of legal  
26 liability otherwise provided for by other laws.

1           SEC. 12. *Implementing Rules and Regulations.* – The Council shall  
2 promulgate the implementing rules and regulations of this Act within six (6)  
3 months from its enactment.

4           SEC. 13. *Separability Clause.* – If any part or provision of this Act is  
5 declared unconstitutional or invalid, the other parts or provisions hereof which  
6 are not affected thereby shall continue to be in full force and effect.

7           SEC. 14. *Repealing Clause.* – All laws, decrees, executive orders,  
8 rules and regulations and other issuances or parts thereof inconsistent with the  
9 provisions of this Act are hereby repealed or modified accordingly.

10          SEC. 15. *Effectivity.* – This Act shall take effect fifteen (15) days after  
11 its publication in the *Official Gazette* or in a national newspaper of general  
12 circulation.

Approved,

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