

SIXTEENTH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
Second Regular Session)



'15 FEB 26 P 6:21

SENATE

Senate Bill No. 2673

RECEIVED BY: *JAN*

Introduced by SENATOR SONNY ANGARA

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

EXPLANATORY NOTE

Agri-tourism or farm tourism covers two of several sectors recently identified as our country's main economic growth drivers and sources of employment. These are agriculture and tourism.

Today, some of our farms augment their incomes by offering guided tours or becoming bed and breakfasts or wedding venues. In fact, such farm tourism is a booming industry across the globe—covering farm stays in California, gites in France and guest ranches in the Australian Outback.

In 2007, the US Department of Agriculture found that up to 23,000 American farms were engaged in so-called agri-tourism activities, earning an average US\$24,300 each in “non-farming” income. Many European governments have provided support to farmers who seek to make their homes and farms more suitable for tourists.

The Philippines boasts of immense potential in farm tourism, given its well-established farming sector and its booming tourism industry. The fusion of the two will lead to a significant boost to our economy and our efforts at creating more sustainable jobs, which is the underlying aim of the foregoing measure.

While there are already some notable farm destinations in the country, such as the Duran Farms in Bulacan, Rosa Farms in Zambales and Costales Nature Farms in Majayjay, Laguna offering farming and fishing activities, there is immense opportunity for the country to develop and expand this niche. This bill primarily seeks to promote and stimulate the industry to immense proportions by establishing at least one farm tourism site in each province.

As such, this bill calls for the creation of a Philippine Farm Tourism Industry Development Coordinating Council which will be tasked to forge the industry's roadmap. This council will be led by the Department of Tourism, in consultation with the Departments of Agriculture, Environment and Natural Resources and Science and Technology, among others.

Developing our farm tourism industry opens up a unique opportunity at spurring economic growth and job generation throughout the countryside, where it is needed the most. Hence, the swift passage of this bill is earnestly sought.


SENATOR SONNY ANGARA

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

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

1 **Sec. 1. Short Title.** This Act shall be known as the "**Farm Tourism Act of 2015**".

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

7
8 Specifically, the State shall seek to promote awareness and understanding of the importance
9 and benefits of agriculture, especially among the youth; promote environment-friendly, efficient
10 and sustainable farm practices; provide alternative recreation facilities and farm tourism
11 activities for families, students and other clientele; promote health and wellness with high-quality
12 farm-produced food, and to generate economic opportunities for the people through farming.
13 Towards this end, this Act shall establish a comprehensive program for the development and
14 promotion of farm tourism.

15
16 **Sec. 3. Definition of Terms.** As used in this Act:

17
18 (a) **Farm Tourism** – refers to the practice of attracting visitors and travellers to farm
19 areas for production, educational and recreational purpose. It involves any
20 agricultural-based operation or activity that brings farmers, visitors, or tourists to a
21 farm who want to be educated and trained on farming and its related activities, and
22 provides a venue for outdoor recreation, without necessarily altering the agricultural
23 nature of the land.

24
25 (b) **Farm Tourism Activity** – refers to any activity in a farm tourism site, whether for
26 educational, recreational, or entertainment purposes, that a participant or group of
27 participants may avail of, without necessarily paying for such. This shall include
28 planting, fruit-picking, floral oil extraction, food production, harvesting vegetables,
29 tasting wine or juices, tending bees, milking cows, watching butterflies, horseback
30 riding, fishing, and other farm activities or pursuits.

31
32 (c) **Farm Tourism Practitioner** – refers to a farmer, a farmer owner, or a farmers'
33 cooperative or association, engaged in the business of providing farm tourism
34 activities, whether or not for compensation.

35
36 (d) **Farm Tourism Operator** – refers to the owner or recognized occupant of the farm or
37 any person who is in charge of running a farm tourism site.
38

- 1 (e) **Farm Tourism Site** – refers to a place where farm tourism activities are carried out.
2
3 (f) **Accreditation** – refers to a certification officially recognizing a farm tourism site as
4 having complied with the minimum standards for farm tourism.
5
6 (g) **Extension Service Provider (ESP)** – refers to an organization accredited by the
7 Department of Agriculture to undertake training and complementary extension
8 services for farm tourism practitioners or operators.
9 (h) **Inherent Risks of Farm Tourism Activity** – refers to dangers or conditions that are
10 integral parts of farm tourism which may cause harm or injury. These include certain
11 hazards associated with surface and subsurface conditions, natural condition of land,
12 vegetation, waters, behaviour of wild and domestic animals, weak structures,
13 negligent attitude of participants, and failure to follow instructions on the use of farm
14 equipment or to exercise reasonable caution while engaged in farm tourism
15 activities.
16
17 (i) **Participant** – refers to any person, including other farmers, visitors, travellers and
18 tourists, who engage in a farm tourism activity in a farm tourism site.
19
20 (j) **Sustainable agriculture** – refers to the efficient production of safe and high quality
21 agricultural products that protects and improves the natural environment, the social
22 and economic conditions of farmers, their employees and local communities, and
23 safeguards the health and welfare of all farmed species.
24

25 **Sec. 4. Philippine Farm Tourism Framework for Development.** The Department of Tourism
26 (DOT) in collaboration with the Department of Agriculture (DA), Department of Environment and
27 Natural Resources (DENR), Department of Science and Technology (DOST), Department of
28 Public Works and Highways (DPWH), Department of Agrarian Reform (DAR), Department of
29 Trade and Industry (DTI), Department of Education (DepEd), Commission on Higher Education
30 (CHED), National Economic and Development Authority (NEDA), farm tourism practitioners and
31 organizations, local government units (LGUs), and the private sector, shall formulate a six-year
32 farm tourism strategic development plan. The development plan shall serve as a guide in the
33 formulation and implementation of programs and projects for the development and promotion of
34 farm tourism, as envisioned in this Act. The development plan shall likewise provide for the
35 following:
36

- 37 (a) **General Criteria for Identification and Designation of Farm Tourism Sites.** –The
38 DOT, in coordination with DA, DENR, DAR, DOST and concerned LGUs, shall
39 formulate a general set of criteria on any geographic area where a farm tourism site
40 may be established to ensure that the development will encourage more productivity
41 and benefits to the farmers, while likewise ensuring quality experience provided to
42 tourists. The development of the criteria shall encourage the identification and
43 development of different forms of farm tourism such as community-based
44 development, public-private partnership and farm tourism enterprise zones.
45
46 (b) **Educational and Promotional Support.** – The DOT shall provide marketing advice
47 and promotional support to accredited farm tourism sites in the country. The DepEd,
48 CHED, and Philippine information Agency (PIA) shall launch and pursue a nationwide
49 campaign to help realize the policies and provisions of this Act, to promote farm
50 tourism, inform the people of new farm tourism sites, and promote the principle of
51 sustainable development.
52
53 (c) **Investment Promotion and Facilitation.**– The DOT and DTI, in collaboration with
54 the Department of Interior and Local Government (DILG) and LGUs, shall develop
55 programs that will establish and facilitate links between stakeholders in the farm
56 tourism industry and government financial institutions (GFIs) and other financial
57 cooperatives. The DOT and DTI shall likewise develop and implement programs that
58 shall establish reasonable and innovative investment incentives to attract more
59 investors and farm tourism practitioners in the farm tourism industry.
60

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

9
10 (e) **Research and Development.** – The Philippine Council for Agriculture, Aquatic and
11 Natural Resources Research and Development (PCAARRD) of the DOST shall
12 coordinate research and development activities in agriculture, aquatic and natural
13 resources (AANR) relevant to the technology needs of the farm tourism sites, and
14 provide the results to the DOT, DA and other concerned agencies and organizations.
15

16 **Market Promotion and Development.** –The DOT, through the Tourism Promotions
17 Board (TPB), in collaboration with the DTI, shall develop programs that shall promote
18 farm tourism activities for local and foreign markets. This also includes exploring
19 national and international markets and facilitating the participation of local farm
20 tourism practitioner4s and operators in local and international conferences, trade
21 fairs and exhibits.
22

23 (f) **Infrastructure Development.** – The DPWH, in cooperation with other concerned
24 agencies, shall prepare and implement a nationwide plan based on identified sites,
25 for the development of farm tourism markets; prioritize the construction of farm-to-
26 market roads linking the farm tourism sites to markets, bus terminals, airports, train
27 stations, ports and highways.
28

29 (g) **Establishment of Tourism Farms.** – Within the scope of the six-year Farm Tourism
30 Strategic Development Plan, the DA shall encourage the establishment of at least
31 one (1) tourism farm in every province in the country.
32

33 **Sec. 5. Implementing Agency.** – There is hereby created a Philippine Farm Tourism Industry
34 Development Coordinating Council (PFTIDCC), herein referred to as the Council, charged with
35 the main function of coordinating the activities of the various agencies and instrumentalities to
36 ensure the development and promotion of farm tourism in the country.
37

38 The Council shall have the following specific functions:
39

- 40 (a) Prepare and implement a Comprehensive National Farm Tourism Industry
41 Development Plan;
42 (b) Recommend to the DOT and the DA areas that are prime for farm tourism but
43 require infrastructure projects such as farm-to-market roads;
44 (c) Encourage the establishment of at least one (1) tourism farm in every province in the
45 country;
46 (d) Launch and pursue a nationwide educational campaign to help realize the policies
47 and provisions of this Act;
48 (e) Establish and maintain a comprehensive farm tourism information system;
49 (f) Formulate and implement farm tourism research and development projects, such as
50 organic farming, aqua culture, duckweed culture, livestock and poultry raising aimed
51 at increasing resource productivity, improving resource use efficiency, and ensuring
52 the long-term sustainability of the country's farm tourism program;
53 (g) Provide for the accreditation and the issuance of identification cards to farm tourism
54 practitioners and operators;
55 (h) Assist the LGUs in developing their technical capability in the development,
56 management, regulation, conservation, and protection of farm tourism sites;
57 (i) Provide avenues for quality trainings, seminars, conventions, workshops, among
58 others;
59 (j) Monitor and review farm tourism agreements between Filipino citizens and foreigners
60 who seek to invest in the farm tourism sector

- 1 (k) Establish cooperation among farm tourism stakeholders, financial institutions,
2 government agencies, non-government organizations, people's organizations and
3 other like-minded institutions and individuals in terms of partnerships and linkages;
4 (l) Enforce all laws, formulate and enforce all rules and regulations governing the
5 conservation and management of farm tourism sites;
6 (m) Submit, through the Chairperson of the Council, an annual report to Congress on the
7 implementation of this Act and the issues and concerns affecting the farm tourism
8 industry; and,
9 (n) Perform such other related functions which shall promote the development,
10 promotion, conservation, management, protection and utilization of farm tourism
11 sites.

12 **Sec. 6. Council Composition.** – The Council shall be composed of the following:

- 13
14 (a) Secretary of the DOT, as Chairperson;
15 (b) Secretary of the DA, as Co-Chairperson;
16 (c) Secretary of the DENR;
17 (d) Secretary of the DPWH;
18 (e) Secretary of the DTI;
19 (f) Secretary of the DAR;
20 (g) Secretary of the CHED;
21 (h) Secretary of the DepEd;
22 (i) Secretary of the DOST;
23 (j) Director General of the NEDA;
24 (k) Representative from the Union of Local Authorities of the Philippines (ULAP); and,
25 (l) Six (6) representatives from farm tourism associations or organizations recognized
26 by the DA or the DOT, with Luzon, Visayas and Mindanao each having equal
27 representation.
28

29 The Council shall meet every three (3) months and may hold special meetings as needed, to
30 consider matters upon the call the Chairperson or any nine (9) Council members.
31

32 The Council may create steering committees and technical working groups as it may deem
33 necessary, and may call upon other agencies of government and private sector groups.
34

35 **Sec. 7. Council Secretariat.** The Secretaries of the DOT and the DA shall designate a Council
36 Secretariat and technical staff who shall come from the existing personnel complement of the
37 said Departments. This shall be without prejudice to the designation by the Council of such
38 additional staff as it may deem necessary for the proper discharge of its functions and
39 responsibilities.
40

41 **Sec. 8. Adherence with Environmental Laws.** – The development and operations of all farm
42 tourism sites under this Act shall be regulated by the DENR pursuant to all laws and statues on
43 the utilization and protection of natural resources and environment, and must strictly comply
44 with the land use plan approved by the LGU concerned and the requirements imposed by
45 existing DENR rules, regulations and other issuances, taking into consideration the sustainable
46 use and development of the farm tourism sites.
47

48 **Sec. 9. Incentives and Tax Exemptions.** – Duly accredited farm tourism practitioners and
49 operators may avail of incentives and tax exemptions pursuant to the following laws: provided,
50

51 That the provisions of the said laws are satisfied:

- 52
53 (a) Republic Act 10068 or the Organic Agriculture act of 2010;
54 (b) Republic Act 6938 or the Cooperative Code of the Philippines;
55 (c) Republic Act 7160 or the Local Government Code of 1991;
56 (d) Republic Act 8435 or the Agriculture and Fisheries Modernization Act of 1997, as
57 amended by Republic Act 9281;
58 (e) Republic Act 8435 or the Agriculture and Fisheries Modernization Act of 1997;
59 (f) Republic Act 10000 or the Agri-Agra Reform Credit Act of 2009;
60 (g) Republic Act 9178 or the Barangay Micro Business Enterprises (BMBE's) Act of
61 2002;

- 1 (h) Republic Act 9593 or the Tourism Act of 2009; and,
2 (i) Any other law under which a farm tourism practitioner or operator may qualify.
3

4 **Sec. 10. Accreditation of Farm Tourism Sites.** – The Council shall provide the guidelines and
5 criteria in the accreditation of farm tourism sites. The DOT, in coordination with the DA, shall
6 issue the corresponding certification to a farm site that meets the standards and requirements
7 set forth by the Council. The DA may also accredit a farm tourism site that has met the standard
8 requirements of an extension service provider, a set forth by the Council.
9

10 Accreditation shall be on a voluntary basis. All accredited farm tourism sites shall be promoted
11 by the DOT and the DA, in partnership with the concerned LGUs and in conjunction with all
12 other tourism and rural development promotions. The accreditation shall be valid for two (2)
13 years.
14

15 The DOT and the DA may, at any time, cancel the accreditation of a farm tourism site or
16 extension service provider found to have the set criteria and guidelines.
17

18 **Sec. 11. Liability of Farm Tourism Practitioners and Operators**
19

20 A farm tourism practitioner and operator shall not be held liable for injury to, or death of, a
21 participant resulting from the inherent risks of farm tourism activities; Provided that the
22 necessary safety measures as may be required by law or implementing rules and regulations
23 are complied with.
24

25 However, a farm tourism practitioner or operator may be held liable for the following reasons:
26

- 27 (a) Commission of an act that constitutes negligence or wilful or wanton disregard for the
28 safety of the participant, which consequently causes injury, damage or death to the
29 participant.
30
31 (b) Any act of omission, when, despite actual knowledge of or reasonable presumption
32 of the possession of knowledge about a dangerous condition on the land, facilities or
33 equipment used in such activity does not make the danger known to a participant,
34 which causes injury, damage, or death to the participant.
35

36 Any limitation on legal liability afforded by this Section to a farm tourism practitioner or operator
37 is in addition to any other limitations of legal liability otherwise provided for by other laws.
38

39 **Sec. 12. Implementing Rules and Regulations.** The council shall promulgate the
40 implementing rules and regulations of this Act within six (60 months from its enactment.
41

42 **Sec. 13. Separability Clause.** If any party or provision of this Act is declared unconstitutional or
43 invalid, other parts or provisions thereof which are not affected thereby shall continue to be in
44 full force and effect.
45

46 **Sec. 14. Repealing Clause.** All laws, decrees, executive orders, rules and regulations and
47 other issuances or parts thereof, inconsistent with the provisions of this Act, are hereby
48 repealed or modified accordingly.
49

50 **Sec. 15. Effectivity.** This shall take effect fifteen (15) days after its participation in the Official
51 Gazette or in a national newspaper of general circulation.

Approved,