

S. No. 1616

H. No. 8861

Republic of the Philippines
Congress of the Philippines

Metro Manila

Seventeenth Congress

Third Regular Session

Begun and held in Metro Manila, on Monday, the twenty-third day of July, two thousand eighteen.



[REPUBLIC ACT NO. **11262**]

AN ACT AMENDING SECTIONS 85 AND 103 OF REPUBLIC ACT NO. 9593, OTHERWISE KNOWN AS "THE TOURISM ACT OF 2009"

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

SECTION 1. Section 85 of Republic Act No. 9593, otherwise known as "The Tourism Act of 2009", is hereby amended to read as follows:

"SEC. 85. General Principles on the Grant and Administration of Incentives. -

"(a) Recognizing the strategic economic importance of tourism, the necessity that investments within TEZs be properly coordinated with environmental, cultural and developmental imperatives, and the fundamental differences between

the export manufacturing and tourism industries, the TIEZA shall have sole and exclusive jurisdiction to grant the incentives hereinafter provided.

"In the formulation of rules and regulations defining and implementing these incentives, and without derogating therefrom, the TIEZA may coordinate with the Board of Investments and other government agencies or entities responsible for the grant and administration of incentives to assist in the development of a rationalized national investment incentive policy.

"In the grant of incentives, it shall give equal preference to large investments, those with great potential for employment generation and those of local small and medium enterprises. Registered tourism enterprises owned and operated by overseas Filipino investors shall enjoy the same incentives granted to TEZ operators and registered enterprises in general. The amount of required investments shall be defined in the implementing rules and regulations of Republic Act No. 9593. The incentive schemes set forth in Sections 86, 87 and 88 of Republic Act No. 9593 shall be in effect until December 31, 2029, subject to review by the Joint Congressional Oversight Committee.

"The TIEZA shall further coordinate with the Bureau of Customs and the Bureau of Internal Revenue in the preparation and enforcement of rules and regulations to prevent the abuse of these incentives.

"The jurisdiction of the TIEZA in the grant and administration of incentives shall not be impliedly repealed or modified."

"(b) The Department and the DTI shall promulgate rules and regulations to govern the

relationship between TEZs created under this Act, and economic zones created under Republic Act No. 7227, otherwise known as the "Bases Conversion and Development Act of 1992", and Republic Act No. 7916, as amended, otherwise known as the "Special Economic Zone Act of 1995", where an area comprising a TEZ overlaps, falls within or encompasses that of an economic zone: *Provided*, That such rules and regulations shall consider the special nature and requirements of tourism in relation to other industries, establishments and operations in economic zones. TEZs proclaimed as such prior to the passage of this Act shall be transferred to the supervision of the TIEZA.

"(c) The investment incentives offered under this Act shall be without prejudice to availing other incentives provided under other laws, decrees, and presidential issuances. However, where such other laws, decrees or presidential issuances provide for similar or identical incentive schemes, the investor may only elect to avail of the scheme provided under one particular law, decree or presidential issuance.

"(d) LGUs are likewise encouraged to provide incentives for tourism enterprises through, among others, reductions in applicable real estate taxes and waivers of fees and charges, among others. Should a LGU grant such incentives, it shall report the same to the Department and the TPB to assist in the marketing and promotions of investment in that LGU."

SEC. 2. Section 103 of Republic Act No. 9593 is likewise amended to read as follows:

"SEC. 103. *Joint Congressional Oversight Committee.* - A Joint Congressional Oversight Committee, hereinafter referred to as the "Oversight Committee", is hereby constituted in accordance with

the provisions of this Act. The Oversight Committee shall be composed of the Chairpersons of the Committee on Tourism of both Houses of Congress, the Chairpersons of the Committees on Ways and Means of both Houses of Congress, the Chairperson of the Committee on Appropriations of the House of Representatives, the Chairperson of the Committee on Finance of the Senate, and three (3) additional members from each House to be designated by the Senate President and the Speaker of the House of Representatives.

“The Secretary shall report to the Oversight Committee on a monthly basis the latest statistics on tourist arrivals and other relevant data. He or she shall also report, on a quarterly basis, the status of implementation of this Act based on the monthly report submitted thereto by all attached agencies of the Department with respect to the implementation of their respective programs.”

SEC. 3. *Repealing Clause.* – All laws, decrees, orders, rules and regulations or other issuances or parts thereof inconsistent with the provisions of this Act are hereby repealed, amended, or modified accordingly.

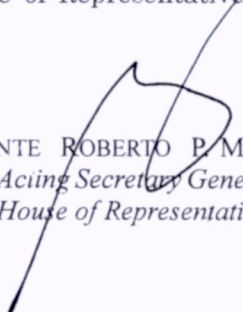
SEC. 4. *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in the *Official Gazette* or in a newspaper of general circulation.


Approved,


GLORIA MACAPAGAL-ARROYO
*Speaker of the House
of Representatives*


VICENTE C. SOTTO III
President of the Senate

This Act which is a consolidation of Senate Bill No. 1616 and House Bill No. 8861 was passed by the Senate and the House of Representatives on February 6, 2019.


DANTE ROBERTO P. MALING
*Acting Secretary General
House of Representatives*


MYRA MARIE D. VILLARICA
Secretary of the Senate

Approved: APR 10 2019




RODRIGO ROA DUTERTE
President of the Philippines



O