

**REPUBLIC OF THE PHILIPPINES
DEPARTMENT OF TOURISM
MANILA**

**RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF
GALLERY**

**PURSUANT TO THE PROVISIONS OF EXECUTIVE ORDER NO. 120, THE
FOLLOWING RULES AND REGULATIONS TO GOVERN THE
ACCREDITATION OF GALLERY.**

CHAPTER I

Section 1. Definition of Terms. - When used in these rules, the following terms shall, unless the context otherwise indicates, have the following meaning:

- a. Gallery - is any establishment that has a formal space for exhibition of paintings, sculptures, prints, photographs, potteries and mixed media works.
- b. Department - The Department of Tourism.
- c. Accreditation - A certification issued by the Department that the holder is recognized by the Department as having complied with its minimum standards in the operation of the establishment concerned.

CHAPTER II

STANDARD REQUIREMENTS FOR A GALLERY

Section 2. Minimum Requirements. - For purposes of accreditation, the following are the minimum requirements for the operation and maintenance of gallery.

- a. Location
 1. The gallery shall be located in a commercial district with pleasant, formal atmosphere.
 2. It shall be characterized by a fixed space for proper display of art works and shall be used exclusively for gallery business.
- b. Maintenance
 1. All sections of the gallery shall be properly maintained and kept clean at all times.
 2. The paintings and other art works on exhibit or on display shall be properly lighted and labeled.
 3. The gallery shall be properly secured.

c. Membership

It shall be a member of National Commission on Culture and the Arts (NCCA)-Committee on Independent Art Galleries (CIAG)

d. Reception

1. A well informed gallery staff shall be available to usher the patrons/guests and a curator shall be present during exhibition.
2. A logbook/registry of guests shall be provided.

e. Parking area

An adequate parking space for patrons/guests shall be made available except establishments located along a main street/commercial district where no available parking space or limited parking area is available other than the roadside.

f. Fire fighting facilities

Fire-fighting facilities shall be provided in accordance with the Fire Code of the Philippines.

CHAPTER III

GENERAL RULES ON THE OPERATION AND MAINTENANCE OF GALLERY

Section 3. Prohibited Acts and Practices. –

- a. No pets or animals shall be allowed within the premises.
- b. All forms of gambling, drunkenness or disorderly conduct of any kind shall be prohibited in the establishment and within its immediate premises.
- c. Administrator or operators shall exert all possible efforts to prevent any person whom they know or have reason to believe to be either a prostitute, pedophile or of questionable character to use the establishment for purposes of immoral/illegal activities. They shall immediately report to the nearest police station the presence in the premises of any such person.
- d. Administrators/operators shall ascertain that the art works on exhibit or on display are authentic and if acquired from other sources, said acquisition must be legitimate and not violative of any law relating to said transaction/acquisition.

CHAPTER IV

APPLICATION FOR ACCREDITATION

Section 4. Filing of Application. - Any gallery operator whether partnership, corporation or other entity desiring to secure an accreditation from the Department shall accomplish in duplicate and file with the Department, the application prescribed for such purpose.

Section 5. Supporting Documents to be Submitted with Application. - Unless otherwise indicated in the form, the application shall be accompanied by two copies of the following documents:

- a. In the case of corporation or partnership, a certified true copy of the Articles of Incorporation, its By-laws, or Articles of Partnership and Amendments thereof, duly registered with the Securities and Exchange Commission, and Business Name Certificate; in the case of single proprietorship, Business Name Certificate and amendments thereof, if any;
- b. Mayor's Permit/Municipal License;
- c. List of the names of all officials and employees and their respective designations, nationalities, home address; for alien personnel-valid visa from Bureau of Immigration and the proper permit from the Department of Labor and Employment;
- d. Applicants latest Income Tax Return and Audited Financial Statements for the preceding year of its operation (not applicable for new establishment);
- e. Proof of changing exhibitions at least three (3) times a year;
- f. Proof of membership with National Commission on Culture and the Arts-Committee on Independent Arts Galleries; and
- g. Such other documents as may be required from time to time by the Department.

Section 6. Creation of an Inspection Team. - After the application form has been filed, the Department shall create an inspection team composed of two (2) members from the Department and one (1) representative from the National Commission on Culture and the Arts.

Section 7. Ocular Inspection of Establishment and its Immediate Premises. - Upon receipt of its mission order, the inspection team shall conduct a ocular inspection of the establishment and its immediate premises for the purpose of determining whether it meets the standards set by the Department for the establishment.

Section 8. Checklist to be Accomplished during Ocular Inspection of Establishment. - the team shall provide itself with a set of checklist of the requirements for the establishment.

Section 9. All Observations of the Applicant to be Entered in the Checklist. - Any observation of the applicant or its duly authorized representative present at the time of the inspection on any adverse finding/s of the team shall be entered in the checklist. The applicant shall then be furnished with a copy of the accomplished checklist.

Section 10. Report of the Team. - Within five (5) days from the date of the inspection of the establishment and its immediate premises, the team shall render a report of its findings and/or recommendations.

Section 11. Issuance of Certificate of Accreditation. - If the applicant has satisfactorily complied with the minimum prescribed requirements, the Department shall then issue the certificate of accreditation in favor of the applicant.

Section 12. Validity of Certificate of Accreditation. - The certificate of accreditation shall be good and valid for a period of one (1) year from the date of issue, unless sooner revoked or cancelled by the Department.

Section 13. Accreditation Fees. - An annual fee of Two Hundred and Twenty (220.00) Pesos shall be collected from the applicants that have complied with the requirements for accreditation

Section 14. Renewal of Accreditation. - The accreditation shall be renewed on or before its date of expiration.

Section 15. Documents Required for Application for Renewal of Accreditation. - The application for renewal of accreditation shall be supported by the following documents:

- a. Mayor's Permit / Municipal License;
- b. A copy of the amended or revised Articles of Incorporation or Articles of Partnership and By-Laws or amended Business Name Certificate;
- c. The list and information sheets of additional personnel, if any, including any change in the manpower complement of the company;
- d. Applicant's latest Income Tax Return and Audited Financial Statements for the preceding year of its operation;
- e. Proof of changing exhibitions at least three (3) times a year;
- f. A certificate of good standing from the NCCA-CIAG; and
- g. Such other documents as may be required from time to time by the Department.

CHAPTER V

SUPERVISION OF GALLERY

Section 16. Display of Certificate of Accreditation. - The certificate of accreditation shall be displayed in a conspicuous place of the establishment.

Section 17. Non-Transferability of Certificate of Accreditation. - The accreditation shall be non-transferable.

Section 18. Periodic Inspection.- When necessary or when the public good dictates, the Department may send an inspection team to the establishment for the purpose of finding out whether it is being kept and/or managed, in a manner conformable to the standards set

by the Department. The inspection shall be conducted at a reasonable time of the day with due regard and respect accorded to the right of privacy of parties concerned.

Section 19. Defects and Deficiency Found during the Inspection.- Where certain defects and deficiencies have been found in the course of the inspection, the Department shall give direction to the keeper, manager or operator to rectify the defects or deficiencies within a reasonable period of time.

Section 20. Penalty for Failure to Remedy the Defects, and Deficiencies. - If the management fails to remedy the defects or deficiencies, the Department, may revoke the certificate of accreditation of the establishment.

CHAPTER VI

GROUND FOR CANCELLATION OF ACCREDITATION

Section. 21. Grounds for Cancellation of Accreditation. - Any of the following acts or omissions shall be sufficient ground for the cancellation of Accreditation:

- a. Making any false declaration or statement or making use of any such declaration or statement or any document containing the same or committing fraud or any act of misrepresentation for the purpose of obtaining the grant of accreditation;
- b. Failure to maintain the standards and requirements for accreditation as prescribed in these Rules;
- c. Violation of or non-compliance with any of the provisions of these Rules, promulgated orders, decisions and circulars issued by the Department and other concerned government agencies; and
- d. Any other act or omission that works against the interest of the tourism industry.

CHAPTER VII

MISCELLANEOUS PROVISIONS

Section. 22. Separability Clause. - The provisions of these Rules are hereby declared separable, and in the event that said provisions or any part thereof are declared invalid, the validity of all the other provisions shall not be affected thereby.

Section 23. Repealing Clause. - All existing Rules and Regulations or Circulars issued by the Department of Tourism on the operations of tourism-related establishments subject of these Rules which are inconsistent with the provisions of these Rules and Regulations are hereby repealed and superseded accordingly.

Section 24. Effectivity. - These Rules and Regulations shall take effect immediately.

APPROVED AND PROMULGATED THIS 12th DAY OF OCTOBER 1994.

Manila, Philippines.

(Sgd.) VICENTE J. CARLOS
Secretary

ATTESTED BY:

(Sgd.) EVELYN B. PANTIG
Undersecretary
Tourism Services and Regional Offices