



DOT MEMORANDUM CIRCULAR NO. 01
Series of 2020

**RULES AND REGULATIONS TO GOVERN THE ACCREDITATION OF
SURFING CAMPS AND FILIPINO SURFING INSTRUCTORS**

PURSUANT TO THE AUTHORITY VESTED IN THE DEPARTMENT OF TOURISM (DOT) BY REPUBLIC ACT NO. 9593, OTHERWISE KNOWN AS THE TOURISM ACT OF 2009 DATED MAY 12, 2009, ON THE MANDATORY ACCREDITATION OF PRIMARY TOURISM ENTERPRISES AND VOLUNTARY ACCREDITATION OF SECONDARY TOURISM ENTERPRISES, THE NATIONAL ACCREDITATION STANDARDS FOR SURFING CAMPS AND FILIPINO SURFING INSTRUCTORS ARE HEREBY PROMULGATED TO IMPLEMENT THE INTENT AND PURPOSE OF THE SAID REPUBLIC ACT.

CHAPTER I

DEFINITION

Section 1. Definition of Terms. For the purpose of these Rules, the following terms shall, unless the context otherwise indicates, have the following meaning:

- a. *“Accreditation”* shall refer to a certification issued by the Department to a tourism enterprise to officially recognize it as having complied with the minimum standards for the operation of tourism facilities and services.
- b. *“Assistant Surfing Instructor”* or *“receiver / catcher”* shall mean a non-certified staff who assists the surfing instructor during actual surfing lesson.
- c. *“Basic-Life Support-Cardiopulmonary Resuscitation (BLS-CPR) Course”* refers to a training course conducted by PRC, PLS or any PCG accredited organization which aims to provide knowledge and basic skills to students in rendering first-aid to a person whose breathing and/ or heartbeat suddenly stopped.
- d. *“Cancellation”* shall refer to the penalty of removal of the rights and benefits of accreditation with no right to reapply.
- e. *“Department or DOT”* shall refer to the Department of Tourism.
- f. *“DOT Online Accreditation System”* shall refer to the platform designed for on-line applications for DOT Accreditation.
- g. *“DOT Tourism Quality Seal”* shall refer to the seal or mark issued to accredited tourism enterprises or frontliners which indicates that they passed the DOT’s standards and requirements.
- h. *“Emergency Response Procedure”* shall refer to the systematic plan of action to be conducted in response to foreseeable emergency or situation that requires immediate attention/action.
- i. *“First Aid Course”* shall refer to a training course conducted by PRC, PLS or any PCG accredited organization which aims to equip participants with knowledge, skills and confidence in providing care for a person who has been injured or suddenly become ill.

The training includes lecture and actual demonstration on bandaging techniques, emergency transfers and common emergencies.

- j. "LGU" shall refer to the Local Government Unit.
- k. "PCG" shall refer to Philippine Coast Guard.
- l. "Philippine Life Saving or PLS" shall refer to a non-government organization engaged in drowning prevention, water safety, water rescue, lifesaving, lifeguarding and lifesaving sport in the Philippines.
- m. "PRC" shall refer to Philippine Red Cross.
- n. "Surfboard" shall mean a long, narrow buoyant board (lightweight wood or fiberglass-covered foam), used for riding on waves as they come in towards the beach.
 - n.1. "Hard Surfboard" shall refer to a surfboard made of wood or fiber glass used by intermediate and advanced surfers.
 - n.2. "Long Board" shall refer to any board that is at least 9 feet in length, often used by beginners.
 - n.3. "Mini Mal Board", also known as "fun board or hybrid board", shall refer to a surf board with length ranges from 7 to 8.6 feet. It is often used by intermediate surfers.
 - n.4. "Short Board" shall refer to any board that is below 7 feet in length, often used by professional surfers.
 - n.5. "Soft Surfboard" or "foamies" shall refer to a surfboard with soft foam construction, buoyant and stable, and ideal for beginners.
- o. "Surfing" shall mean a sport and recreational activity of riding on the crest or along the tunnel of a wave while standing on a surfboard. The term includes variants such as Skim Boarding.
- p. "Surfing Camp" shall mean an enterprise offering professional surfing lessons/programs from beginner to advanced level, and which has facilities, equipment and instructional staff available for the execution of the program/lesson. A surfing camp can either be a stand-alone facility or an extension or part of a resort or a hotel:
 - p.1. "Stand-alone Surfing Camp" shall refer to an independent establishment which complies with the requirements for a surf camp. It provides all the facilities and amenities required of a surfing camp.
 - p.2. "Surfing Camp within a Resort/Hotel" shall refer to a surfing camp which shares the facilities and amenities readily available or provided by the resort or a hotel such as toilet and bath and secured locker/storage area.
- q. "Surfing Instructor" shall mean an individual who provides professional knowledge and assistance on proper and safe surfing, for a fee, commission or any other form of lawful remuneration and certified by any recognized international surfing organization.

- r. *“Surfing Instructor Certification”* shall mean a certification given by any internationally recognized surfing organization to a surfing instructor as an indicator of his/her expertise, special skills and technical knowledge in teaching basic or professional surfing.
- s. *“Surfing Instructor’s Training Certification Course”* shall refer to the intensive training program offered by internationally recognized surfing instructor’s certifying organization or any local surfing institution accredited thereof.
- t. *“Surfing Lesson Package”* shall refer to the detailed description of the surfing lesson options indicating the number of hours, types of lesson (beginner, intermediate, professional) and cost.
- u. *“Revocation”* shall refer to the penalty of removal of the rights and benefits of accreditation with no right to reapply until the revocation period is lifted.
- v. *“Water Safety Course (Swimming, Aquatic Lifesaving and Life Guarding)”* shall refer to a training course conducted by PRC or any PCG accredited organization which aims to teach survival and lifesaving techniques. The trainings lecture and actual demonstration on the fundamentals of survival techniques, such as threading and disrobing, and saving a drowning person.
- w. *“Wave Pool”* shall mean a large pool equipped with machines that mechanically generate artificial waves suitable for surfing lessons.

CHAPTER II

REQUIREMENTS FOR ACCREDITATION

Section 2. Application for Accreditation. All applications for accreditation shall be submitted through the DOT Online Accreditation System or personally to the DOT Regional Office within the surfing destination where the applicant intends to be stationed.

Section 3. Who May Apply for Accreditation

3.1 Surfing Camp:

- a. Sole proprietorship;
- b. One-Person Corporation (OPC) organized under Philippine laws;
- c. Partnership organized under Philippine laws, at least 60% of its capital is owned by a Filipino citizen;
- d. Corporations organized under Philippine laws, at least 60% of all kinds of shares of stock of which are owned by Filipino citizens, and at least 60% of the members of the Board of Directors are Filipino citizens;
- e. Cooperative duly organized under Philippine laws;
- f. Any other entity duly created by an LGU by virtue of an Executive Order or *Sanggunian* Ordinance for the purpose of operating the surf camp;

- g. In case of entities with more than 40% foreign-ownership, the same shall have at least S\$200,000.00 paid-in capital, pursuant to Republic Act No. 7042, otherwise known as the Foreign Investments Act of 1991.

3.2 Surfing Instructor:

- a. Filipino citizen;
- b. At least eighteen (18) years old;
- c. Physically fit;
- d. A least conversant in English and Filipino; and
- e. Shall not have been convicted for any crime involving moral turpitude by a court of law.

Section 4. Mandatory Documentary Requirements for New Applications. For purposes of accreditation, the following documents shall be submitted:

Surfing Camp	Surfing Instructor
<ul style="list-style-type: none"> a. Mayor’s permit/permit to operate latest issued by the concerned LGU; b. For Corporation / Partnership/ OPC, certified true copy of the applicant’s Articles of Incorporation/ Partnership. Amended copy of the same, if applicable; c. For Single/Sole Proprietorship, certified true copy of the applicant’s Certificate of Business Name Registration issued by Department of Trade and Industry (DTI); d. For Cooperative, certified true copy of Articles of Cooperation, Amended copy of the same, if applicable; e. For LGU-owned entity, certified true copy of Executive Order/ Ordinance creating the said entity; f. Valid Comprehensive General Liability Insurance with minimum amount of P500,000.00 with a condition to answer for any and 	<ul style="list-style-type: none"> a. Valid Occupational Permit issued by concerned LGUs or its equivalent; b. Valid National Bureau of Investigation (NBI) Clearance; c. Has passed the Surfing Instructor’s Training Certification Course or has a valid certification from any internationally qualified and recognized surfing certifying organization; d. Has the following valid certifications: <ul style="list-style-type: none"> 1. First Aid Course 2. Basic Life Support-Cardiopulmonary Resuscitation (BLS-CPR) 3. Water Safety Course; <p>From any of the following:</p> <ul style="list-style-type: none"> 1. Philippine Red Cross (PRC); 2. Philippine Coast Guard (PCG); 3. Philippine Life Saving (PLS); or 4. Other organization accredited by PCG or

<p>all liabilities such as but not limited to bodily injury, personal injury and property loss / damage resulting from or incurred due to negligence of the pertinent surfing instructor on duty or the surfing camp in the course of its business operation in accordance with the findings of the appropriate authority;</p> <p>g. List of names of all surfing camp's employees, surfing instructors and assistant surfing instructors.</p>	<p>recognized/accredited by PCG accredited entity</p> <p>e. Valid Health Certificate from a licensed Government physician stating that the applicant is physically fit to work;</p> <p>f. Valid drug test result pursuant to Republic Act No. 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002.</p>
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Section 5. Mandatory Documentary Requirements for Renewal of Accreditation. The following documents shall be submitted for renewal of accreditation:

Surfing Camp	Surfing Instructor
<p>a. Mayor's permit/permit to operate latest issued by the concerned LGU;</p> <p>b. Valid Comprehensive General Liability Insurance with minimum amount of P500,000.00 with a condition to answer for any and all liabilities such as but not limited to bodily injury, personal injury and property loss / damage resulting from or incurred due to negligence of the pertinent surfing instructor on duty or the surfing camp in the course of its business operation in accordance with the findings of the appropriate authority;</p> <p>c. Updated list of names of all surfing camp's employees, surfing instructors and assistant surfing instructors.</p>	<p>a. Valid Occupational Permit issued by concerned LGUs or its equivalent;</p> <p>b. Valid NBI Clearance;</p> <p>c. Valid Surfing Instructor Certificate from an internationally qualified and recognized surfing certifying organization;</p> <p>d. Renewal of the following valid certifications:</p> <ol style="list-style-type: none"> 1. First Aid Course 2. Basic Life Support-Cardiopulmonary Resuscitation (BLS-CPR) 3. Water Safety Course; <p>From any of the following:</p> <ol style="list-style-type: none"> 1. Philippine Red Cross (PRC); 2. Philippine Coast Guard (PCG); 3. Philippine Life Saving (PLS); or 4. Other organization accredited by PCG or recognized/accredited by PCG accredited entity

	<ul style="list-style-type: none"> e. Valid Health Certificate of surfing instructors from a licensed Government physician stating that the applicant is physically fit to work; f. Valid drug test result pursuant to RA 9165, otherwise known as the Comprehensive Dangerous Drugs Act of 2002.
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Section 6. Minimum Requirements for Surfing Camps

6.1 General Requirements

- a. Location shall be accessible or within proximity of ocean surf site or wave pool. Surfing camps located away from the beach shall have available vehicles to transport students to the nearest surf spot.
- b. Shall have a dedicated area to store surf boards.
- c. Shall have at least five (5) soft surfboards and five (5) hard surfboards in good quality and satisfactory condition for students' use.
- d. Shall have standard surfing lesson packages displayed conspicuously within the area.
- e. Shall have a clear and honest refund policies, complaints handling, and response procedure.
- f. Shall have at least one (1) fully functional mobile phone, or two-way radio, and/or other communication equipment shall be readily available for emergency purposes. Functional means fully-charged and have enough load for pre-paid mobile phones.
- g. Shall have standard first-aid kit and equipment plus splints and bandages for orthopedic emergencies, which are completely updated and in readily available set.
- h. Shall have its Emergency Response Procedure posted in a conspicuous place of the camp. A list of emergency phone numbers of nearest hospitals or clinics shall also be available.

6.2. Additional Requirements for Stand-alone Surfing Camps

- a. Shall have an area of at least 100 square feet (10ft x10ft), properly roofed and walled, either permanent or collapsible, to keep it secured during non-operating hours.
- b. Shall have at least one (1) toilet and bath cubicle and one (1) indoor and/or outdoor shower with clean fresh running water. These shall be kept clean at all times.

- c. Shall have appropriate storage area to leave and store valuables. In the absence of a secured locker, stand-alone surfing camp shall be manned or supervised during operating hours.

6.3. Additional Requirements for Surfing Camps with Wave Pools

- a. Shall have a surfing area separate from swimming / non-surfing area.
- b. Shall have enough facility to accommodate a maximum of eight (8) students per surfing instructor depending on the size and depth of the wave pool.

Section 7. Operation Guidelines

7.1. General Guidelines for the Operation of Surfing Camps

- a. At least one (1) Certified Surfing Instructor shall handle one (1) to a maximum of two (2) students per lesson.
- b. Assistant Surfing Instructor or Receiver / Catcher shall not be allowed to conduct surfing lessons.

7.2. Additional Guidelines for the Operation of Surfing Camps with Wave Pools

- a. At least one (1) Certified Surfing Instructor shall handle a maximum of eight (8) students per lesson.
- b. For surfing lessons conducted in a wave pool, there shall be at least one (1) assistant surfing instructor for every four (4) students per lesson.
- c. Pools shall be regularly filtered and ensured that the water is clean, non-turbid and properly treated to prevent the presence of bacteria and other threatening organisms.
- d. Any possible hazard such as broken tiles or concrete pool walls and floors, mud, dirt, plastics, and other debris or damaged pool parts shall be removed and/or repaired immediately.
- e. Wave pool machines shall undergo regular maintenance to avoid accidents during surfing lessons.
- f. Daily record of inspection and maintenance of the wave pool machine shall be maintained.
- g. Shall have a warning sound or public address system to inform the public of the activation / deactivation of the wave pool machine.
- h. "No entry for non-surfers" signage must be displayed within the wave pool surfing area.

Section 8. Environmental Requirements

- a. The surfing camp shall be kept clean and tidy with trash bins segregated and labelled as biodegradable, non-biodegradable, recyclable or reusable, and with proper waste management system.
- b. The use of single- use plastics shall be prohibited.

CHAPTER III

FEES

Section 9. Fees. The applicant shall pay the following accreditation and miscellaneous fees, as may be applicable:

- 9.1. Accreditation Fee.** A non-refundable filing fee shall be collected for the processing of the application, which shall include the issuance of Accreditation Certificates, and a DOT Identification Card for Surfing Instructors and DOT Sticker for Surfing Camps.

Entity Type	Accreditation Fee
Surfing Camp	P 5,000.00
Surfing Instructor	P 1,500.00

- 9.2. Lost Certificate/Identification Card. (ID)** The fee for the reproduction of lost or damaged Accreditation Certificates or IDs upon submission of letter request and duly notarized Affidavit of Loss are as follows:

Payment for the reproduction of:	Reproduction Fee	
	Surfing Camp	Surfing Instructor
Accreditation Certificate	P 1,500.00	P 300.00
Surfing Instructors ID	n/a	P 300.00

- 9.3. Penalties for Late Renewal.** A surcharge equivalent to 25% of the accreditation fee shall be collected for applications for renewal made after July 31 and a Penalty of 50% of the accreditation fee for every succeeding year thereafter. Renewal period is from May 1 to July 31 of each year.

Sample Computation:

If renewing from August 1 to April 30 of the following year	Amount
Accreditation Fee (Surfing Camp)	P5,000.00
Surcharge (25%) (P 5,000 x 0.25)	P1,250.00
TOTAL DUE.	P6,250.00

If renewing after April 30 of the following year and every succeeding year thereafter	Amount
Accreditation Fee (Surfing Camp)	P5,000.00
Surcharge (25%) (P 5,000 x 0.25)	P1,250.00
Penalty (50%) multiplied by number of years (P 5,000 x 0.5 x 2)	P5,000.00 (2 years)
TOTAL DUE	P11,250.00

CHAPTER IV

SUPERVISION OF SURFING CAMPS AND SURFING INSTRUCTORS

Section 10. Validity of Accreditation. The Certificate of Accreditation shall be valid for a period of two (2) years.

ESTABLISHMENT/ SERVICE PROVIDER	ACCREDITATION VALIDITY
Surfing Camp	Two (2) years
Surfing Instructor	Two (2) years

Section 11. Renewal Period. The following schedule shall be observed in the filing of application for accreditation with corresponding date of expiry:

ESTABLISHMENT / SERVICE PROVIDER	RENEWAL PERIOD	ACCREDITATION EXPIRY
Surfing Camp	May 1 to July 31	July 31 of the next two years
Surfing Instructor	May 1 to July 31	July 31 of the next two years

Section 12. Display of DOT Tourism Quality Seal and Accreditation Number. The DOT accreditation sticker shall at all times be displayed in a conspicuous place of the Surfing Camp. The DOT accredited Surfing Camp which advertises its business or services through print or online media shall display the DOT Tourism Quality Seal and Accreditation Number with validity in all its advertisements, brochures, and promotional materials.

Section 13. Non-Transferability of Accreditation. The rights and privileges granted under the accreditation shall be non-transferable.

Section 14. Identification Card, Nameplate / Uniform. A surfing instructor is required to present his/her Accreditation ID prior to the conduct of surfing lessons. In the absence of a uniform provided by the surfing camp, surfing instructors shall wear proper clothing in accordance with the appropriate dress code in the surfing industry.

Section 15. Issuance of Tourism / Travel Advisory. The Department shall publish advisories against surfing camps and instructors found to have violated the terms of their accreditation after due investigation and notice, which shall contain the following details:

- Complete identification of the pertinent Surfing Camp / Instructor;
- The specific term or terms of accreditation violated; and
- The statement that the advisory shall only be lifted upon continued compliance of the Surfing Camp / Instructor within the terms and conditions of accreditation.

Section 16. Monitoring. As may be deemed necessary, spot checks on tourism enterprises shall be conducted for the purpose of determining whether the surfing camps are kept and/or managed in conformance with the standards set by the Department.

CHAPTER V

SCHEDULE OF FINES AND PENALTIES

Section 17. Schedules of Fines and Penalties. Pursuant to Section 39 of Republic Act No. 9593, violation of, or non-compliance with any of the provisions of these Rules and Regulations, or commission of the following acts shall be sufficient ground for the denial, suspension, or cancellation/revocation of accreditation of Surfing Camps and Surfing Instructors.

17.1. Grounds for Denial of Applications for Accreditation. The Department may deny the application for accreditation of surfing camps and surfing instructors on the following grounds:

- 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 accreditation;
- b. Failure to comply with the standards and requirements for accreditation;
- c. Failure to pay outstanding fines and penalties;
- d. A determinative finding of liability for complaint/s filed against the surfing camp/ surfing instructor with the DOT. Provided, that this disqualification will only apply to the next accreditation period and will be automatically lifted thereafter upon payment of any unpaid fines and penalties; and
- e. Any other act or omission deemed to be detrimental to the tourism industry.

17.2. Grounds for Suspension, Revocation, and Cancellation of Accreditation and Schedule of Fines and Penalties

GROUNDS/OFFENSES	FINES AND PENALTIES		
	1 st offense	2 nd offense	3 rd offense
a. Unauthorized use and/or transfer/reproduction of DOT Accreditation Certificates, Stickers, IDs, or any document issued by the DOT	Cancellation of accreditation	n/a	n/a
b. Gross misconduct, dishonesty, and evident bad faith in dealing with clients	Cancellation of accreditation	n/a	n/a
c. Engaging the services of non-DOT accredited surfing instructors and other tourism frontliners and service providers	Three (3) months suspension and a fine of P 5,000.00	Six (6) months suspension and a fine of P 10,000.00	Cancellation of accreditation

d. Failure to display the DOT Accreditation Sticker in a conspicuous place within the establishment for surfing camp and failure to present accreditation ID during surfing sessions for the surfing instructors	Stern warning	Fine of P 2,000.00	Fine of P 5,000.00
e. Failure to display/specify the DOT Tourism Quality Seal and Accreditation Number with validity in all of its advertisements through print or online media	Stern warning	Fine of P 2,000.00	Fine of P 5,000.00
f. Promotion, facilitation, or conduct of activities involving drug-related transactions or any form of exploitation of women or children, determined after due investigation	Cancellation of accreditation	n/a	n/a
g. Failure to comply with existing laws against discrimination (e.g. gender, age and physical condition)	Stern warning	Fine of P 2,000.00	Fine of P 5,000.00
h. Making any false declaration or statement, or any document containing the same, or committing fraud, or any act of misrepresentation, to obtain the grant or accreditation	Cancellation of accreditation	n/a	n/a
i. Violation or non-compliance with any of the provision of these Rules, Orders, Circulars and other issuances issued by the Department	Three (3) month suspension and a fine of P 3,000.00	Revocation and a fine of P 5,000.00	Cancellation of accreditation
j. Any other act or omission deemed to be detrimental to the tourism industry	Stern warning and/or a fine of not less than P 1,000.00 but not more P 5,000.00 based on the gravity of the offense	Three (3) months to one (1) year suspension and/or a fine of P 5,000.00 but not more P 10,000.00 based on the gravity of the offense	Revocation and/or cancellation of accreditation and/or a fine of not more than P 20,000.00 based on the gravity of the offense

Section 18. Notice of Violation. The DOT shall likewise issue a Notice of Violation to the concerned LGU to recommend the suspension or revocation/cancellation of issued

licenses/permits of the surfing camps and surfing instructors found to have violated the terms of their accreditation.

Section 19. Lifting of Suspension. Suspension of surfing instructors shall only be lifted upon serving the full term of the suspension order, and submission of Letter Request for reactivation with proof of settlement of complaints filed against the camp or instructor, if any, and payment of any unpaid fines and penalties.

CHAPTER VI

MISCELLANEOUS PROVISIONS

Section 20. Protection of Personal Information. Personal Information received or filed with the Department pursuant to the requirements of these rules shall be protected in accordance with *Republic Act No. 10173 or the Data Privacy Act of 2012*.

Section 21. Issuance of Additional Circulars/Orders. The Department shall, whenever necessary, issue additional Circulars/Orders for a more effective implementation of these rules and regulations.

Section 22. Separability Clause. The provisions of these rules are hereby declared separable, and in the event that any one or more of such provisions are declared invalid, the validity of all other provisions shall not be affected thereby.



Section 23. Repealing Clause. All previous rules and regulations, circulars, orders, and other issuances issued by Department which are inconsistent with the provisions of these Rules and Regulations are hereby repealed and modified accordingly.

Section 24. Effectivity. The Standards for Surfing Camps and Surfing Instructors shall take effect immediately after completion of its publication in a newspaper of general circulation and with three (3) copies hereof be filed with the Office of National Administrative Register (ONAR), UP Law Center pursuant to Executive Order No. 292 also known as the Administrative Code of 1987, and Presidential Memorandum Circular No. 11 dated 09 October 1992.

APPROVED AND PROMULGATED THIS 20TH DAY OF JANUARY 2019. ²⁰ *ppp*

Attested:


ARTURO P. BONCATO, JR.
Undersecretary
Tourism Regulation, Coordination
and Resource Generation *H.*


BERNADETTE ROMULO-PUYAT
Secretary *ms*
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ABH243 *1/20*