

MEMORANDUM CIRCULAR NO. 20-53

Series of 2020

SUBJECT : PRESCRIBING THE RECATEGORIZATION OF TRAVEL AGENCIES, TOUR OPERATORS, RESERVATION SERVICE, AND RELATED ACTIVITIES FROM CATEGORY IV TO CATEGORY III

WHEREAS, on 08 March 2020, Presidential Proclamation No. 922, Series of 2020 was issued declaring a State of Public Health Emergency throughout the Philippines in view of the Coronavirus Disease 2019 (COVID-19);

WHEREAS, on 16 March 2020, Proclamation No. 929, Series of 2020 placed the entirety of Luzon under Enhanced Community Quarantine (ECQ) until 14 April 2020;

WHEREAS, on 18 March 2020, the Office of the Executive Secretary issued the Memorandum entitled "*Additional Guidelines for the Community Quarantine over the Entire Luzon and Management of the COVID-19 Situation*," which suspended the non-essential travel of Filipinos;

WHEREAS, on 29 April 2020, the Inter Agency Task Force for the Management of Emerging Infectious Disease (IATF) approved the Omnibus Guidelines for the Implementation of Community Quarantine in the Philippines ("Omnibus Guidelines") for recommendation of the President, and provides the categorization of industries allowed to operate;

WHEREAS, on 30 April 2020, Executive Order (EO) No. 112, Series of 2020 was issued imposing an ECQ in high-risk geographic areas of the Philippines and a General Community Quarantine (GCQ) in the rest of the country from 01 to 15 May 2020, adopting the Omnibus Guidelines for the implementation thereof, and authorizing the IATF to lift the GCQ in low-risk areas;

WHEREAS, EO No. 112, Series of 2020 further declares that "*any amendment or modification of such Omnibus Guidelines may be approved by the [Inter-Agency Task Force for the Management of Emerging Infectious Diseases] IATF without need of further approval of the President;*"

WHEREAS, on 03 June 2020, the Omnibus Guidelines was amended providing for the categorization of industries from I-IV that "*are allowed to operate at an operational capacity provided herein,*" and that the "*lists of sectors and industries per category are illustrative. Specific industries under each category are reflected in a separate document issued by the DTI which shall contain the updated guidelines to implement the gradual increase of operational capacity without diminution of the current operational capacity previously allowed;*"

WHEREAS, on 08 June 2020, DTI issued Memorandum Circular (MC) No. 20-33, Series of 2020 providing for the Revised Category I-IV business establishments, under which Office Administrative and Office Support were placed under Category II, Advertising and Market Research were placed under Category III, and Travel Agencies, Tour Operators, Reservation Service and Related Activities under Category IV;

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WHEREAS, on 06 July 2020, IATF Resolution No. 52 lifted the suspension of non-essential travel by Filipinos;

WHEREAS, on 16 July 2020, pursuant to IATF Resolution No. 56, the Omnibus Guidelines was amended to state that "*the DTI, in consultation with the Department of Finance (DOF), Department of the Interior and Local Government (DILG), and the Department of Tourism (DOT) is hereby authorized to gradually recategorize industries from Category IV to Category III as may be deemed necessary;*"

WHEREAS, various IATF Resolutions have placed several parts of the country under MGCQ;

WHEREAS, foreign countries have begun loosening COVID-19 travel and entry restrictions, with some international destinations reopened to tourists;

WHEREAS, the Omnibus Guidelines, as amended, allows the movement of persons for any purpose across areas placed under Modified General Community Quarantine (MGCQ) and areas where no community quarantine is in place;

WHEREAS, on 10 September 2020, the IATF Technical Working Group (TWG) recommended the DTI to recategorize travel agencies, tour operators, reservation service and related activities from Category IV to Category III to be consistent with Office Administrative and Office Support (Category II) and Advertising and Market Research (Category III) which have already been previously allowed to operate at fifty percent (50%) operational capacity;

WHEREAS, on even date, pursuant to the Omnibus Guidelines, as amended, DTI, in consultation with the DOF, DILG and DOT present during the IATF TWG meeting, agreed to the recategorization of travel agencies, tour operators, reservation service and related activities from Category IV to Category III;

WHEREAS, on the same date, IATF Resolution No. 70 was issued amending Paragraph 10, Section 4 of the Omnibus Guidelines to include "*Markets of specialized programs of the Department of Tourism*" among the hotels and accommodation establishments allowed to operate in areas under GCQ;

WHEREFORE, foregoing premises considered, the following are hereby prescribed and provided:

SEC. 1. Recategorization of Travel Agencies from Category IV to Category III. Travel agencies, tour operators, reservation service and related activities are recategorized from Category IV to Category III, and thus, are allowed to reopen at fifty percent (50%) operational capacity for areas placed under GCQ and one hundred percent (100%) capacity for areas placed under MGCQ, subject to the mandatory minimum public health standards and protocols as provided under DOH Administrative Order No. 2020-0015, Series of 2020 dated 27 April 2020, DTI-DOLE Joint Memorandum Circular No. 20-04, Series of 2020 on Workplace Prevention and Control of COVID-19, DOT Health and Safety Guidelines, and all pertinent health protocols.

SEC. 2. Compliance Monitoring. The DTI, through the Fair Trade Enforcement Bureau (FTEB) and Regional or Provincial Offices, shall monitor compliance with this Circular through a post-audit mechanism. Inspection by the DOT, DOLE, DOH, and the LGU's Health Office may also be conducted at any time.

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SEC. 3. Complaints Handling. – All feedback and complaints from the general public may be coursed through the DTI Consumer Care Hotline 1-384.

SEC. 4. Repealing Clause. Provisions of MC No. 20-33, Series of 2020, as amended by MC No. 20-44, Series of 2020, and other issuances that are inconsistent with this Circular are hereby superseded or amended accordingly. All provisions of MC No. 20-33, Series of 2020, as amended, not inconsistent with this Circular shall remain effective and enforceable.

SEC. 5. Separability Clause. If for any reason, any part or provision of this Circular be declared invalid, any part or provision not affected thereby, shall remain in full force and effect.

SEC 6. Effectivity. Given the presence of a public health emergency, this Circular shall take effect immediately upon its filing with the University of the Philippines Law Center and publication either in the Official Gazette or in a newspaper of general circulation, and shall remain in effect until the state of public health emergency is lifted.

Issued on 14 October 2020.



RAMON M. LOPEZ
Secretary

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