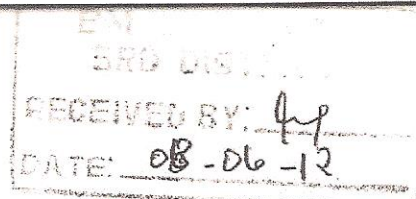




Republic of the Philippines  
**PROVINCE OF BOHOL**  
City of Tagbilaran



**OFFICE OF THE SANGGUNIANG PANLALAWIGAN**

**PROVINCIAL ORDINANCE NO. 2012-026**

**REQUIRING MANDATORY ACCREDITATION BY THE PHILIPPINE COMMISSION ON SPORTS SCUBA DIVING OF DIVING ESTABLISHMENTS IN THE PROVINCE OF BOHOL.**

"SECTION 1. **Title.** – This Ordinance shall be known as the Sports Scuba Diving Accreditation Requirement Ordinance;

"SECTION 2. **Definition of Terms.** -

**Accreditation** – is a process conducted by the Philippine Commission on Sports Scuba Diving (PCSSD) in which a certification is conferred, as a formal attestation and official recognition, that a dive establishment or dive professional has complied with the desired competencies and the technical and security standards set by the said commission.

**Department of Tourism (DOT)** – is the executive department of the Philippine government responsible for the regulation of the Philippine tourism industry and the promotion of the Philippines as a tourist destination.

**Dive Boat Operator** – An establishment or person that operates a sail or motor boat duly licensed and accredited by appropriate government agencies to provide services to scuba divers.

**Dive Boat** – Any motor-run or sail operated boat or dive banca with or without live-aboard facilities that are offered to scuba divers (both domestic and foreign) for a fee. It is a boat that provides comfortable space for scuba divers and their facilities and equipments to be used in diving.

**Dive Resort** – An establishment that offers food, accommodation and scuba diving facilities to the public for a fee. This establishment is duly accredited by DOT for their food and accommodation and by PCSSD for the Scuba Diving Operations.

**Dive Facility** – An establishment engaged in any or all of the following activities: (1) Selling scuba diving related equipment; (2) Renting out scuba diving related equipment, (3) Providing air fill services, and (4) Conducting scuba diving courses or underwater tours.

**Dive guide** – An up-to-date certified diver with a Minimum Certification level of Rescue Diver with current CPR training to the stated rating of a national or international training agency or its equivalent. The Dive Guide must be familiar with the dive sites with minimum of 100 dives in the area of operation.

**Diving Professional** – A diver with a certification of instructor, assistant instructor, or dive master as certified by an international or nationally recognized certifying agency for the current year who conducts sports scuba diving activities in the Philippines whether or not for a fee.

**License** – The privilege or authority granted and issued by the Local Government Unit to own, operate, and maintain within its jurisdiction a scuba diving establishment upon compliance with the required minimum standards set by the Philippine Commission on Sports Scuba Diving.

**Other Entities** – All other establishments not hereto specified including all Local Government Units (LGUs) engaging in the aforesaid Business for tourism and public utilization.

**Philippine Commission on Sports Scuba Diving (PCSSD)** – The Philippine Commission on Sports Scuba Diving is an attached agency to the Department of Tourism and is placed under the supervision of the Secretary, who shall be the ex-officio Chairperson of its board of Trustees. It undertakes measures to provide the standard basic dive rules to all levels or kinds of divers, regulate scuba sports and technical diving in the country and ensure the safety of the sport through the formulation of policies pursuant thereto, in coordination with the Office of Tourism Standards and Regulations, including the regulation of the accredited scuba sports and technical diving establishments.

**Professional Dive Center** – An establishment engaged in all of the following activities (1) selling scuba diving-related equipment, (2) Renting out scuba diving-related equipment, (3) Providing air fill service, (4) Servicing and repair of scuba diving-related equipment, and (5) Conducting scuba diving courses or underwater tours.

**Scuba Diving Tour Operator** – An establishment that is duly Accredited by the PCSSD and licensed by the local government to conduct sports scuba diving activities and promotes, sells, or markets scuba diving tours.

**Sports Scuba Diving Establishment** – Any business establishment engaged in the conduct of Sports Scuba Diving activities in the Philippines whether or not for a fee.

**"SECTION 3. Accreditation Requirement.** – No person, natural or juridical, shall operate or manage a scuba diving establishment without first being accredited by the Philippine Commission on Sports Scuba Diving (PCSSD). Resorts which provide board and lodging to scuba divers and any establishments engaged in the promotion of scuba diving tours that has duly been accredited by DOT, shall likewise be accredited by the PCSSD as Dive Resorts and as Scuba Diving Tour Operators. These shall form part as a prerequisite to the issuance of the license to operate from the appropriate LGU and accreditation certificate from the Department of Tourism.

Accreditation by the PCSSD shall be mandatory as mandated by RA 9593, Chapter II-E, Sec. 39. The accreditation certificate must be submitted to the Local Government Unit (LGU) before a license to operate shall be issued by the



"SECTION 4. **PCSSD Accreditation**. – is a mandatory requirement for licensing at any local government unit where the following business operates:

1. Professional Dive Center
2. Dive Facility/Shop
3. Dive Professional
4. Dive Guide
5. Dive Resorts
6. Dive Tour Operators

"SECTION 4A. **Inspection of the Applicant Establishment**. – An inspection of the facilities, equipment and premises of the applicant establishment shall be conducted by PCSSD for the purpose of determining whether it meets the minimum standards set by the PCSSD, its Implementing Rules and Regulations including the conduct of air quality test on air compressors/tanks.

"SECTION 5. **Inspection Before Issuance of Permits by LGU**. – The concerned local government units may inspect the facilities and premises of the applicant establishment before any permit is issued in compliance with other requirements operating and safety standards other than the accreditation requirements.

"SECTION 6. **Accreditation Fee**. – Corresponding fees shall be paid to the PCSSD by the applicants in the conduct of the accreditation process.

"SECTION 7. **Validity of Accreditation**. – The Accreditation issued by PCSSD shall be valid for a period of one (1) year from the date of its issuance.

"SECTION 8. **Display of Permits and other Documents**. – The following must be displayed conspicuously by the Licensee in his establishment:

- a. Current and appropriate PCSSD Accreditation Certificate and Sticker of the establishment
- b. Permits from the LGU
- c. List of diving professionals and technical staff employed or contracted by the establishment with their respective positions; and photos and Alien Employment Certificate from Department of Labor and Employment and photocopy of Alien Certificate of Registration from the Bureau of Immigration, as applicable.

"SECTION 9. **Accreditation Cards**. – Dive Instructors/Assistant Dive Instructors, Dive masters and Dive Guides, shall be issued Accreditation cards by the PCSSD which they must carry whenever they are engaged in the activity for which they have been accredited for.

"SECTION 10. **Replacement of Lost Accreditation Cards**. – A written notice of loss shall accompany a request for replacement of lost accreditation card. Replacement shall be issued within one (1) month from the date of notice of loss. The applicant shall pay the appropriate replacement cost in accordance with existing guidelines of the PCSSD.

"SECTION 11. **Renewal of Accreditation**. – Application for the renewal of

"SECTION 12. **Grounds for imposition of fines, downgrading, suspension or Revocation/Cancellation of License and PCSSD Accreditation.** – After due notice and hearing, the LGU with respect to its licensing authority and PCSSD as to its accreditation function shall impose the applicable sanctions on the following grounds:

- a. Collection or destruction of corals and the reef in general.
- b. Capture of or harm to endangered marine species
- c. Capture of, transferring to other habitats, or harm to other species within the dive areas;
- d. Use of toxic chemicals in the course of diving;
- e. Spear fishing using scuba anywhere and Apnea (free diving) within the dive sites;
- f. Salvage of or transferring with any sunken artifacts without the necessary permit from proper authorities;
- g. 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 issuance of accreditation;
- h. Failure to comply with or contravene any of the conditions set forth in the certificate of accreditation;
- i. Failure to meet the standards and requirements for the operation of the establishment;
- j. Allowing or permitting the establishment or its facilities to be used for illegal, immoral or illicit activities; and
- k. Violation of or noncompliance with any of the provisions of the Rules, promulgated orders, decisions and circulars issued by the PCSSD and other concerned government agencies.

"SECTION 13. **benefits.** – The accredited Dive establishments shall be extended with the following benefits, as provided for in section 123 of the IRR of RA 9593:

- a. Only Accredited enterprises shall be beneficiaries of promotional, training and other programs of PCSSD and DOT and its attached agencies.
- b. Prioritization in all PCSSD initiated seminars, programs and activities.
- c. Prioritization to participate in local and international trade fairs, travel marts and other DOT related activities.

"SECTION 14. **Dive Accidents.** – All concerned accredited dive establishments and dive professionals are required to submit a written report to the PCSSD in case of dive accidents within forty eight (48) hours. The report should contain, among others, the following information:

1. Incident Report Accident
2. Location of Accident
3. Rescue Procedures done
4. Existing conditions
5. Victim/Injured party information



"SECTION 15. Dive Statistical Report. – All accredited dive establishments shall submit a semi-annual report to PCSSD and the Bohol Tourism Office on the volume of foreign tourist divers per country as well as domestic divers who have availed of diving services per month. This will form part of the requirements for the accreditation renewal.

"SECITON 16. Data on Licensed Dive Establishments and Dive Professionals. – The Local Government Business Permit and Licensing Office shall submit to the, Bohol Tourism Office, DOT-Region 7 and PCSSD an annual report on the list of licensed dive establishments and dive professionals in their area for information and data banking.

"SECTION 17. Implementing Taskforce. – For the purpose of implementing this Ordinance, the Provincial Governor shall create a Committee composed of the following:

1. Representative of the Department of Tourism thru the Philippine Commission on Sports Scuba Diving
2. Representative of the Philippine National Police (Tourist Police)
3. The Sangguniang Panlalawigan Committee on Tourism, Natural Resources and Environmental Protection and Health and Public Sanitation
4. Head of the Bohol Tourism Office
5. Chairperson of the Provincial Tourism Council
6. President of the Bohol Association of Hotels, Resorts and Restaurants or his representative
7. Representative from the Dive Establishments/Dive Professionals
8. President, League of the Municipalities of the Philippines- Bohol Chapter
9. President, Association of Barangay Captains-Bohol Chapter

The Committee shall formulate its implementing rules and regulations and as such shall monitor the implementation of this Ordinance. The Provincial Governor shall chair the committee and the PCSSD representative shall be the co-chair.

"SECTION 18. Penalties. – The penalty for any violation of this ordinance which is not penalized elsewhere in other sections of this ordinance, or in a national law, shall be:

- a) For 1<sup>st</sup> offense – A fine of one thousand pesos (P1,000.00) and suspension for 10 days, both the guide and the establishment operators;
- b) For 2<sup>nd</sup> offense – A fine of three thousand pesos (P3,000.00) and suspension of 20 days, both the guide and the establishment operators;
- c) For 3<sup>rd</sup> offense – A fine of five thousand pesos (P5,000.00) and suspension of 30 days, both the guide and the establishment operators;