



Republic of the Philippines
SAN VICENTE TEZ MANAGEMENT COMMITTEE

‘Guidelines on the selection and recognition of private sector representatives in the SVT Secretariat and Management Committee’

1. **Background.** Section 81 of the Tourism Act of 2009 provides that: “x x x TEZ Operators are encouraged to reserve seats on their Boards of Directors for relevant interest groups, such as those representing environmental, religious, cultural, TEZ investors, TEZ residents, and other interests. In any case, TEZ Operators may form consultative bodies for such special interest groups to assist them in the formulation and implementation of policies, plans and projects.” (*emphasis supplied*)

The interim TEZ Operator of the San Vicente Flagship TEZ known as the San Vicente Management Committee (“SVT ManCom”), and its interim TEZ Administrator, the SVT Secretariat (“Secretariat”), therefore, both provide private sector representation in their respective composition.

Furthermore, the Memorandum of Agreement entered into by the TIEZA and LGU-San Vicente last February 26, 2015, which effectively created the SVT Management Committee and defined its membership allocated one member from the said sector, i.e. “[d]uly authorized representative from the corporate entity that may be formed by the landowners and stakeholders in San Vicente, Palawan.”

In this particular MOA, the LGU took on the responsibility of “[facilitating] the association of the landowners and stakeholders within the San Vicente Flagship TEZ.” Thus, prior to these Guidelines, it was the LGU through the Municipal Mayor who nominated the past and present private sector representatives to the SVT ManCom, while the SVT Secretariat members themselves recognized these representatives in the latter’s membership; the representatives came from the *de facto* “recognized” private sector association.

Due to the issues arising from the lack of a clear-cut policy on the subject, the SVT Secretariat recommended to the SVT Management Committee in the latter’s November 5, 2020 meeting that guidelines be formulated and approved to cover the selection, acceptance and recognition of private sector representatives in the SVT Secretariat and SVT Management Committee. These Guidelines, therefor, aim to fill the policy gap on the subject at hand.

2. General Policies.

2.1. There shall be allocated four slots for private sector representation in the SVT Secretariat, each one representing the four Clusters of the municipality under its Tourism Master Plan, to wit:

- a. Cluster 1: Kemdeng, Poblacion, New Agutaya, San Isidro and Alimanguan;
- b. Cluster 2: Port Barton;

- c. Cluster 3: Sto. Niño, New Canipo and Binga;
- d. Cluster 4: Caruray.

- 2.2. There shall be allocated one slot for a private sector representative in the SVT Management Committee, to be nominated by the cluster representatives, vetted by the SVT Secretariat, and to be accepted and recognized by the SVT ManCom;
- 2.3. Private sector representatives in both bodies must represent organized, duly-accredited, and registered organizations or associations with good standing in the community composed of members who are landowners, investors and/or tourism industry stakeholders.
 - 2.3.1. The organization/association must be registered at the Securities and Exchange Commission (SEC), Cooperative Development Authority (CDA), Department of Labor and Employment (DOLE), and/or the Department of Trade and Industry (DTI);
 - 2.3.2. Its membership must be any or combination of the following:
 - 2.3.2.1. Landowners and/or investors whose property/ies are located in the cluster of barangay/s their association/organization seeks to represent;
 - 2.3.2.2. Property owners, managers and/or senior officials/officers of registered and licensed (with permit) primary¹ and secondary² tourism enterprises located within the municipality;
 - 2.3.3. For an organization or association to be “duly-accredited”, it must pass the accreditation process of the *Sangguniang Bayan* of San Vicente, Palawan, and must be able to present among its credentials a *Sangguniang Bayan Resolution* proving its accreditation;

3. Private Sector (“PS”) Representation at the SVT Secretariat.

3.1. Criteria.

- 3.1.1. Only organized, registered, duly-accredited and tourism-oriented organizations or associations shall qualify for representation in the Secretariat;
- 3.1.2. The organization must have been existing and/or operating for at least within the last six months prior to its application to the body. It must present its proof of registration or incorporation, its list of officers with photographs certified by the secretary of the organization, and its activities at least for the last six months to prove its active operations in the community it seeks to represent;
- 3.1.3. Its membership must be from tourism-oriented enterprises, and/or do have interest in the development of the said industry;

¹ Refers to travel and tour services; land, sea and air transport services exclusively for tourists use; accommodation establishments, convention and exhibition organizers, tourism estate management services, and such other enterprises as may be identified by the Secretary of Tourism after due consultation with concerned sectors.

² Refers to all other tourism-oriented enterprises not classified as primary tourism enterprises under the Tourism Act.

- 3.1.4. Its members' businesses must be registered and/or operating with requisite permits and/or licenses;
- 3.1.5. Its purpose, objective and core areas of work must include the issues, concerns, advocacies, and ultimate development of the municipality's tourism industry and its sustainable development;
- 3.1.6. The organization must be in good standing in the community, supported by a *Punong Barangay* Certification or Barangay Council Resolution (to be issued by the Barangay concerned);
- 3.1.7. It should operate in a Cluster it seeks to represent in the Secretariat.

3.2. Process of Selection.

- 3.2.1. The interested organizations/associations must submit a Letter of Intent to the SVT Secretariat, through its Chairperson, together with the following documents:
 - a. Duly accomplished application form;
 - b. Proof of SEC/CDA/DOLE Registration, whichever is applicable;
 - c. Articles of Incorporation/By-Laws;
 - d. List of officers with photographs certified by its secretary;
 - e. List of members with relevant details (e.g. name of business/establishment);
 - f. *Punong Barangay* Certification/Barangay Council Resolution attesting its "good standing in the community";
 - g. *Sangguniang Bayan* Resolution indicating its accreditation as a legitimate organization in the municipality; and
 - h. Updated Curriculum Vitae/Bio-data of its nominee. The nominee must be a senior officer of its organization.
- 3.2.2. Each application shall be screened and vetted by the Secretariat, or through a Committee created for the purpose;
- 3.2.3. Only one qualified organization/association shall be selected by the Secretariat per Cluster;
- 3.2.4. For an applicant to be accepted in the Secretariat, such applicant must muster the qualified majority votes of the SVT Secretariat, i.e. 50% plus one of all the members, including those member/s absent in counting the majority.

3.3. Process of Acceptance.

- 3.3.1. The Secretariat shall issue a Resolution recognizing and accepting the qualified representative of his/her Cluster;
- 3.3.2. He/She shall start his/her service immediately upon passage of said Resolution;

- 3.3.3. Each term of office is equivalent to **one/two/three** years, subject to renewal through re-application, re-endorsement of his/her organization, and approval of the Secretariat.

3.4. Grounds for Removal from the Secretariat. A representative may lose his/her membership in the Secretariat for any of the following grounds:

- 3.4.1. Commission of acts prejudicial to the interest of the Secretariat, and the sustainability of the tourism industry in the municipality;
- 3.4.2. Disassociation from the organization or association being represented;
- 3.4.3. Termination of relationship with the organization or association being represented;
- 3.4.4. Conviction by final judgement of any criminal act;
- 3.4.5. Upon submission and verification of Vote of No Confidence, through a Resolution, by his/her organization; or
- 3.4.6. Upon qualified majority votes of the Secretariat removing the concerned member.

3.5. Selection and Recognition Process in the SVT ManCom.

- 3.5.1. **Criteria.** The prospective member of the Management Committee must:

- 3.5.1.1. Be recommended by the Cluster Representatives, vetted and found by the SVT Secretariat to be qualified to the post;
- 3.5.1.2. Be a member or officer of any legitimate organization as defined in the preceding sections;
- 3.5.1.3. In addition, he/she must have the following personal and professional background:
- 3.5.1.3.1. Must have an education, work or business experience related to the tourism industry, hotel and restaurant management, economics, environmental science, public policy, sustainable development, law, and other related fields needed to competently participate in the decision-making process in the Committee;
- 3.5.1.3.2. Must be a resident and/or investor of the municipality for at least one (1) year. In the case of the latter, a proof of purchase of property within the municipality, e.g. Deed of Sale, shall be attached in his/her application.

3.6. Process of Selection.

- 3.6.1. The Cluster Representatives must recommend at least three representatives from their network of *qualified* organizations/associations;
- 3.6.2. Interested parties must submit the following documents to the SVT Secretariat, addressed to the Chairperson:
 - 3.6.2.1. Letter of Intent;
 - 3.6.2.2. Updated Curriculum Vitae/Bio-data;
 - 3.6.2.3. Business/Building/Occupancy Permit, if owns/manages a business to be established or already operating in the municipality;
 - 3.6.2.4. Organizational Profile, list of officers with photos, and list of members with relevant details (e.g. name of business/establishment);
 - 3.6.2.5. Organizational documents such as:
 - 3.6.2.5.1. SEC/CDA/DOLE Registration, whichever is applicable;
 - 3.6.2.5.2. *Punong Barangay* Certification/Barangay Council Resolution attesting its organization's "good standing in the community";
 - 3.6.2.5.3. *Sangguniang Bayan* Resolution indicating its accreditation as a legitimate organization in the municipality.
- 3.6.3. The SVT Secretariat, or a committee created for the purpose, must screen and vet the applicant and his/her credentials;
- 3.6.4. The Secretariat must submit at most three qualified nominees to the Management Committee, together with their respective credentials;
- 3.6.5. The ManCom shall select from the forwarded list; and
- 3.6.6. The ManCom shall determine the ultimate one (1) Private Sector representative through votation. The applicant with the highest votes gets the seat.

3.7. Process of Acceptance.

- 3.7.1. A Resolution recognizing and accepting the official PS representative shall then be issued by the ManCom;
- 3.7.2. The selected candidate shall take an oath of office and shall sit on the Committee for one/two/three years unless removed sooner, subject to renewal to a maximum of three terms, and through the same process of reapplication, re-nomination and approval from the SVT Secretariat through the ManCom.

3.8. Grounds for Removal from the ManCom. A representative may lose his/her membership in the Committee for any of the following grounds:

- 3.8.1.1. Commission of acts prejudicial to the interest of the Committee, and the sustainability of the tourism industry in the municipality;

- 3.8.1.2. Disassociation from the organization or association being represented;
- 3.8.1.3. Termination of relationship with the organization or association being represented;
- 3.8.1.4. Conviction by final judgement of any criminal act;
- 3.8.1.5. Upon submission and verification of Vote of No Confidence, through a Resolution, by his/her organization and the cluster representatives; or
- 3.8.1.6. Upon qualified majority votes of the Committee removing the concerned member.

4. Effectivity. These Guidelines shall take effect immediately.