A Sectoral Assessment of the Level of Awareness of Tourism Laws in Metro Manila

Atty. Christine P. Carpio-Aldeguer, DBA

Pamantasan ng Lungsod ng Maynila Intramuros, Manila, Philippines

Abstract — This study assessed the level of awareness of tourism laws by tourism establishments (as represented by their managers and supervisors) across all sectors using the four geographic areas (Districts) of Metro Manila (i.e. Capital District, Eastern Manila District, Northern Manila District [CAMANAVA], Southern Manila District) as research locale with 100 as respondents to a 60-item gradient scale questionnaire. The sample was determined through Slovin's formula with 10% margin of error.

Keywords — Philippine Tourism Laws, tourism industry, tourism, tourism establishment, tourism laws

I. INTRODUCTION

Tourism establishments are spread across eight sectors (i.e. accommodation, food & beverage, travel trade, transportation, MICE, tourist attractions, academe, and government). With the current thrust of the Aquino administration to boost the local tourism industry, it is expected that the increased influx of international and local tourists will spur the need to revisit the legal aspects of the country's flourishing tourism industry. This pertains to the rights and responsibilities of tourism establishments and tourists alike. The scope of tourism laws is broad covering all sectors, oftentimes overlapping, and presumed to be not cascaded widely to the grassroots.

This study assessed the level of awareness of tourism laws by tourism establishments (as represented by their managers and supervisors) across all sectors using the four geographic areas (Districts) of Metro Manila (i.e. Capital District, Eastern Manila District, Northern Manila District [CAMANAVA], Southern Manila District) as research locale with 100 as respondents to a 60-item gradient scale questionnaire. The sample was determined through Slovin's formula with 10% margin of error.

To synthesize all the related literature and studies reviewed, the following are deemed relevant:

a) There are 8 sectors of the Philippine tourism industry which collectively contribute substantially to the Gross Domestic Product of the country namely: Lodging and Accommodation

- establishments (LA); Food and Beverage establishments (FBE); Travel and Trade Services establishments (TT); Transport Service establishments (TR); Meetings, Incentives, Conventions and Events/Exhibits (MI); Tourist Attractions (TA); Government (GO); and Academe (AC)
- b) The Philippine tourism industry is currently in an interesting growth phase and the momentum is propelled by marketing and quality of tourism products and services.
- c) The concept of Philippine Tourism Laws is very broad and leads to a curiosity on the extent of awareness of these laws by the tourism establishments.
- d) It is important for tourism establishments to adhere and obey the laws on the country through the policies, programs, actions and decisions of their managers.
- e) Violation of or non-compliance with the law may result in dire consequences.
- f) The four levels of awareness of tourism laws are knowing the law, understanding the law, applying the law, and emancipating the law.
- g) There is no study on tourism laws and the extent of awareness of stakeholders of these laws in the Philippines.

II. CONCEPTUAL FRAMEWORK

The researcher developed an envisioned concept taking off from Bloom's Taxonomy of Learning Objectives. The government through its branches (executive, legislative and judiciary) implements tourism laws across all 8 sectors in the tourism industry. It is expected that all tourism establishments in these sectors adhere and comply with these laws. Their level of awareness is assessed in terms of knowledge, understanding, application, and emancipation of these tourism laws. Figure 1 below indicates the Philippine Tourism Laws Awareness Model.

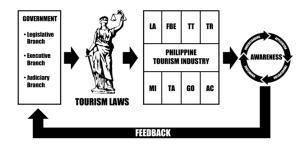


Fig. 1. Philippine Tourism Laws Awareness Model

Figure 1 shows that the government plays an important role in enacting, implementing and interpreting Philippine tourism laws that would lead to the ultimate awareness by various sectors in the Philippine tourism industry namely: lodging and accommodation establishments, food & beverage establishments, travel and trade service establishments, transport service establishments, MICE, tourist attractions, various government agencies (i.e. local government units) and the academe. Such awareness is the main concern of this study where the various sectors should have knowledge and understanding of the tourism laws so that these sectors can ultimately apply the same. However, there is a need for the government to regularly collaborate with the Philippine Tourism Industry to be constantly informed of whether the latter is truly aware of the law.

III. METHODOLOGY

A. Research Design

The researcher used a combination of descriptive and quantitative research as research designs. Using primary data from various tourism establishments within Metro Manila, a survey questionnaire is developed with 60 items comprising the 60 essential and general laws applicable to all sectors of the industry. The responses of the tourism establishment will indicate their individual level of awareness. Thus, the data gathered from respondents are all quantifiable and can be analyzed using quantitative techniques. This study will effectively yield a correlation of mean responses among sectors and across different variables such as geographic area within Metro Manila, age and size of establishments.

B. Research Locale

The research will be conducted within the Metro Manila area, since it has the heaviest concentration of tourism establishments, being the economic and social center of the Philippines, and considering that the researcher is bound by budget constraints. The study used the four geographic areas (Districts) of Metro Manila (i.e. Capital District, Eastern Manila District, Northern Manila District [CAMANAVA], Southern Manila District) as research locale with 100 as

respondents to a 60-item gradient scale questionnaire. The sample was determined through Slovin's formula with 10% margin of error.

C. Population, Samples and Sampling Techniques

The target subjects of the study are the 8 sectors of the tourism industry located in Metro Manila namely: lodging & accommodation establishments (LA), food and beverage establishments (FBE), travel and trade service establishments (TT), transport service establishments (TR), MICE (MI), tourist attractions (TA), government (GO) and the academe (AC).

D. Statistical Treatment of Data

The following statistical tools will be used in the treatment of the data:

Arithmetic mean will be used in the treatment of the data pertaining to the assessment of the level of awareness of the tourism laws by the eight sectors in terms of Knowledge, Understanding, Application and Emancipation.

The *Kruskal Wallis Test* is a non-parametric test that will test the significant difference of the level of awareness of tourism enterprises across: a) 8 sectors; b) Years of Existence; c) Number of Employees. The null hypothesis will be rejected if the obtained *p-value* is less than the predetermined significance level of α =0.01. To facilitate the computation of the *p-value*, the IBMM SPSS statistics software was used.

Hypothesis #1: There is no significant difference of the level of awareness of tourism enterprises across the 8 sectors.

Hypothesis #2: There is no significant difference of the level of awareness of tourism enterprises across Years of Existence.

Hypothesis #3: There is no significant difference of the level of awareness of tourism enterprises across Number of Employees.

IV. RESULTS

A. Level of Awareness of Tourism Laws by Tourism Establishments

To resolve the statement: "What is the level of awareness of tourism laws by tourism establishments in terms of: a) Knowledge; b) Understanding; c) Application; d) Emancipation?", Figure 2 represents the level of awareness of tourism laws by tourism establishments:

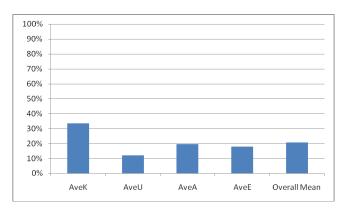


Fig. 2 Level of Awareness of Tourism Laws by Tourism Establishments

As assessed by the respondents, the overall average response of tourism establishments on the level of awareness of tourism laws based on the 60 essential and general laws applicable to all sectors of the industry is only at 21%.

Table 1 shows the rank of the 60 general laws as responded by all sectors of the industry.

m	Philippine Tourism Laws	Overall Mean
	Law on SSS, Philhealth, and Pag-ibig	58.99%
	Dangerous Drugs Act	48.46%
3	Anti-Child Abuse Law	47.59%
4	Law on Violence against Women and Children	46.05%
5	1987 Philippine Constitution on Labor	39.69%
6	Revised Penal Code: Crime against Food Poisoning	37.06%
7	Anti Drunk and Drugged Driving Act of 2013	36.18%
8	Law Income Taxation	35.96%
9	Code on Sanitation of the Philippines	35.31%
10	Anti Smoking Law (Philippine Clean Air Act of 1990)	32.68%
11	Sexual Harassment Act of 1995	32.24%
	Maternity Leave Benefits under the Social Security	04.000
	System	31.809
	Senior Citizen Law 2004	30.709
14	Revised Penal Code: Crime against Theft	29.619
	The Law to Enhance the Mobility of Disabled Persons	
	(B.P. 344)	27.63%
	Bouncing Check Law (B.P 22)	26.75%
	Anti-Smuggling Law (Tariff and Customs Code)	26.329
	Laws on Retirement Benefits	25.88%
19	National Building Code of the Philippines	24.569
	Rules on Accreditation of Tourism Establishments by	04.040
	the Department of Tourism	24.349
21	Tourism Act of 2009	24.129
_	Anti-Trafficking in Persons Act of 2003	24.129
	1987 Phil. Constitution on Bill of Rights	23.909
	Civil Code: Obligations and Contracts	23.909
	The Seatbelt Law of 1999 (R.A. 8750)	22.599
	Revised Penal Code: Swindling (Estafa)	22.379
_	Law on the Value Added Tax	21.939
26	Civil Code: Contract of Sale	21.499
	Revised Penal Code: Falsification of commercial	20.400
	documents (i.e. checks) by private individuals	20.189
28	Laws on Health Benefits	19.969
20	Labor Code Provisions on Termination of Employment	19.529
	Law on Probationary Employment	18.209
	Revised Penal Code: Crime against Vandalism	17.769
	Civil Code: Contract of Agency	16.899
32	1987 Phil. Constitution on National Economy &	10.007
33	Patrimony	15.579
	Corporation Code of the Philippines	15.359
	Philippine Environmental Code (PD 1152)	
35	Philippine Environmental Code (PD 1152) Paternity Leave Act 1996	14.259
35 36	Paternity Leave Act 1996	14.259 13.169
35		14.259 13.169
35 36 37	Paternity Leave Act 1996 Electronic Commerce Act 2000 (R.A. 8792)	14.259 13.169 12.509
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Table 1. Ranking of the 60 Tourism Laws as responded by all sectors

The results reveal that the following laws are the respondents' top choices in terms of their awareness: a) Law on SSS, Philhealth, and Pag-ibig (overall mean average of 58.99%); b) Dangerous Drugs Act (overall mean average of 48.46%); c) Anti-Child Abuse Law (overall mean average of 47.59%); d) Law on

Violence against Women and Children (overall mean average of 46.05%); e) 1987 Philippine Constitution

Test Statistics^{a,b}

p-value	.002	.080	.000	.000
df	7	7	7	7
Chi-Square	23.053	12.709	26.736	43.933
	AveK	AveU	AveA	AveE

- a. Kruskal Wallis Test
- b. Grouping Variable: 8 Sectors

Legend: AveK= Average response of tourism establishments in terms of Knowledge of tourism laws; AveU= Average response of tourism establishments in terms of Understanding tourism laws; AveA= Average response of tourism establishments in terms of Application of tourism laws; AveE= Average response of tourism establishments in terms of Emancipation of tourism laws; Overall Mean=Overall mean of the level awareness of tourism laws by tourism establishments.

on Labor (overall mean average of 39.69%).

On the other hand, the following are the laws which the respondents are least familiar with: a) Barangay Micro Business Enterprise Law (BMBE Law) (overall mean average of 4.61%); b) Trust Receipt Act and Trust Receipt- Letter of Credit Transactions (overall mean average of 4.82%); c) Rules and Regulations governing loan accommodations by Banks (overall mean average of 5.70%); d) Retail Liberalization Act of 2000 (overall mean average of 5.92%); e) Anti Photo and Video Voyeurism Act of 2009 (overall mean average of 5.92%).

B. Significant Difference in the Level of Awareness of Tourism Enterprises

Tables 2, 3 and 4 show the results of tests of significant difference on the level of awareness of tourism enterprises using SPSS Statistics Software.

Table 2 shows the results of test of significant difference on the level of awareness of tourism enterprises across the 8 sectors. On the level of awareness in terms of Knowledge, Application and Emancipation, the test shows that the obtained p-values were small at 0.002, 0.000 and 0.000, respectively, values of which are less than α =0.01. Evidence shows that there is a significant difference on the level of awareness of tourism Laws in terms of Knowledge, Application and Emancipation of the law, across the 8 sectors. Therefore, the null hypothesis (Hypothesis #1) is rejected.

On the other hand, Table 3 shows the results of tests of significant difference on the level of awareness of tourism enterprises across Years of Existence. On the level of awareness in terms of Knowledge, Understanding, and Application, the test shows that the obtained p-values were 0.018, 0.138 and 0.318 respectively, all values which are greater than α =0.01. Evidence shows that there is no significant difference on the level of awareness of tourism Laws in terms of Knowledge, Understanding and Application of the law, across Years of Existence. Therefore, the null hypothesis (Hypothesis #2) is accepted.

Finally, Table 4 shows the results of tests of significant difference on the level of awareness of tourism enterprises across Number of Employees. On the level of awareness in terms of Knowledge, Understanding, and Application, the test shows that the obtained p-values were 0.208, 0.248 and 0.071 respectively, all values which are greater than α =0.01. Evidence shows that there is no significant difference on the level of awareness of tourism Laws in terms of Knowledge, Understanding and Application of the law, across Number of Employees. Therefore, the null hypothesis (Hypothesis #3) is accepted.

Table 2: Test Statistics: Significant difference on the level of awareness of tourism enterprises across 8 sectors

Test Statistics^{a,b}

100000000000000000000000000000000000000							
	AveK	AveU	AveA	AveE			
Chi-Square	13.661	8.346	5.881	34.389			
Df	5	5	5	5			
p-value	.018	.138	.318	.000			

- a. Kruskal Wallis Test
- b. Grouping Variable: Years of Existence

Table 3: Test Statistics: Significant difference on the level of awareness of tourism enterprises across Years of Existence

Test Statistics^{a,b}

	AveK	AveU	AveA	AveE
Chi-Square	12.094	11.416	15.789	22.858
df	9	9	9	9
p-value	.208	.248	.071	.007

- a. Kruskal Wallis Test
- b. Grouping Variable: Number of Employees

Table 4: Test Statistics: Significant difference on the level of awareness of tourism enterprises across Number of Employees

V. DISCUSSION

The findings of this study confirms that the level awareness of tourism laws by tourism establishments (as represented by their managers and supervisors) is low and unacceptable. Moreover, the level of awareness of tourism laws by tourism establishments in terms of Understanding is also low and unacceptable with skewness, as compared to the level of awareness in terms of Application and Emancipation of tourism laws. Finally, the level of awareness of tourism laws by tourism establishments are significantly different across the 8 sectors namely: Lodging and Accommodation establishments (LA), Food and Beverage establishments (FBE), Travel and Trade Services establishments (TT), Transport Service establishments (TR), Meetings, Incentives, Conventions and Events/Exhibits (MI), Tourist Attractions (TA), Government (GO), Academe (AC).

The researcher can deduce the following as reasons:

- A) Government agencies and local government units lack the political will in fully implementing tourism laws. Laws are enacted, but government agencies lack the initiative to make sure that tourism laws are fully implemented and appreciated by stakeholders in the tourism industry. Further, this lack of political will resulted in the ununified and unorganized level of awareness of tourism laws among tourism enterprises, as evidenced by the significant difference of the level of awareness of tourism laws as assessed by respondents across the 8 sectors.
- B) Human Resource Managers in the tourism establishments only concentrate in providing job and work skills training which are essential and necessary in their respective line of business. Tourism establishments seldom allot training and development for the awareness and appreciation of tourism laws.
- C) Stakeholders of tourism establishments lack awareness on and do not fully understand the importance and necessity of Philippine tourism laws. Moreover, they do not play an active part in creating a culture of awareness of tourism laws in their respective establishments. Only a few laws which they feel are necessary are embedded in their respective manuals, the rest of the laws are not embedded because of passive reliance on government agencies to monitor compliance.
- D) The academe does not fully recognize the importance and necessity of offering tourism laws in

their respective curriculum and subject offerings. Most colleges and universities do not offer Tourism Laws as a major subject, but merely offered as an elective. There are two reasons why this occurs: scarcity of learning materials and scarcity of teachers teaching the subject.

E) Curriculum developers, both in the public and private sectors, do not fully understand the importance and necessity of tourism laws as a major subject that need to be offered to every student. Moreover, the curriculum developers fail to realize that in every major subject being offered, students will always encounter tourism laws.

VI. CONCLUSIONS / RECOMMENDATIONS

The findings of this study confirm that the level of awareness of tourism laws by tourism establishments (as represented by their managers and supervisors) is low and unacceptable. As assessed by the respondents, the overall average response of tourism establishments on the level of awareness of tourism laws based on the 60 essential and general laws applicable to all sectors of the industry is only at 21%. Average response of tourism establishments in terms of Knowledge of tourism laws is at 33%; average response of tourism establishments in terms of Understanding tourism laws is at 12%; average response of tourism establishments in terms of Application of tourism laws is at 20%; average response of tourism establishments in terms of Emancipation of tourism laws is at 18%.

Moreover, the level of awareness of tourism laws by tourism establishments in terms of Understanding is also low and unacceptable with skewness, as compared to the level of awareness in terms of Application and Emancipation of tourism laws. Average response in terms of Understanding is lower or skewed at 12% while the average response in terms of Application and Emancipation is higher at 20% and 18%, respectively.

Finally, the level of awareness of tourism laws by tourism establishments are significantly different across the 8 sectors namely: Lodging and Accommodation establishments (LA), Food and Beverage establishments (FBE), Travel and Trade Services establishments (TT), Transport Service establishments Meetings, (TR), Incentives. Conventions and Events/Exhibits (MI), Tourist Attractions (TA), Government (GO), Academe (AC). However, evidence shows that there is no significant difference of the level of awareness of tourism enterprises across Years of Existence and Number of Employees.

In devising recommendations, it is important that the government plays a vital role in enacting, implementing and interpreting Philippine tourism laws that would lead to the ultimate awareness by various sectors in the Philippine tourism industry namely: lodging and accommodation establishments, food & beverage establishments, travel and trade service establishments, transport service establishments, MICE, tourist attractions, various government agencies (i.e. local government units) and the academe. Without the government's proactive participation, the recommendations will be deemed useless.

To increase the level awareness and understanding of Philippine Tourism Laws:

- 1) There should be a mandatory inclusion of Philippine Tourism Laws in the curriculum of the Tourism Management, Hotel and Restaurant Management, and Human Resource Management/Legal Management Programs as a major subject, not merely as an elective. Such inclusion will encourage the future labor force in the tourism industry to appreciate and respect Philippine Tourism Laws during their formative years of training. In this regard, universities and colleges offering Philippine Tourism Laws must hire duly qualified and experienced individuals who are skilled in teaching Philippine Tourism Laws.
- 2) Infomercials using social media should be utilized in promoting Philippine Tourism Laws. This will create a sense of knowledge and understanding of the basic concepts of Philippine Tourism Laws and its consequences in case of violation thereof.
- 3) Seminars on Philippine Tourism Laws, in coordination with human resource organizations, Non-governmental organizations, associations and government agencies, must be conducted among human resource managers and practitioners in the tourism industry.
- 4) The academe, with experience in Philippine Tourism Laws, may be tapped as consultants when conducting seminars among the identified 8 tourism sectors, namely: Lodging and Accommodation establishments (LA), Food and Beverage establishments (FBE), Travel and Trade Services establishments (TT), Transport Service establishments (TR), Meetings, Incentives, Conventions and Events/Exhibits (MI), Tourist Attractions (TA), Government (GO), Academe (AC).
- 5) The schools, non-governmental organizations and associations may promote an advocacy campaign through memorandum of agreements among departments of the government and affected government agencies on the need to implement

tourism laws and the importance of tourism to economic growth and development. This advocacy campaign will be a stepping stone towards awareness and respect for tourism laws and prevent violation among tourism establishments.

6) Lawyers who are tasked in knowing the law are mandated to play an active part in the advocacy campaign in making government agencies, local government units, tourism establishments, non-governmental organizations, and associations be fully aware of the importance Philippine Tourism Laws and its impact to economic growth and development.

To resolve the skewness of the level of awareness of tourism laws in terms of Understanding, it is highly recommended that human resource managers familiarize their employees with these tourism laws for better understanding. Hence, human resource managers of the tourism establishments are recommended to:

- 1) Conduct orientation seminars for their new employees on the rationale for knowing and understanding the tourism laws. This will help employees appreciate tourism laws better so that these laws can be embedded in their way of life.
- 2) Conduct annual seminars for their employees on the updates and amendments of the tourism laws, current events affecting tourism laws, and upcoming new tourism laws so that employees can be regularly informed. Annual training and seminars must also be conducted as a refresher for the employees so that they can be on their toes in terms of awareness of these tourism laws.
- 3) To sustain and strengthen the level of understanding of the employees of the tourism laws, monitoring must be done on an annual basis in the form of examination to test the level of understanding and appreciation by the employees. Such examination must be included in the performance evaluation of employees for purposes of promotion and determination of high performers.
- 4) A training budget must be allotted for purposes of increasing the level of awareness of tourism laws in the workplace.

Moreover, the academe can also play an important role in resolving the skewness of the level of awareness of tourism laws in terms of Understanding. In this regard, it is recommended that the academe:

1) Invest in hiring experts in the field (preferably lawyers) with a high level of understanding of Tourism Laws as faculty members who will teach Philippine Tourism Laws. Expertise of

the faculty who will teach Tourism Laws can be measured by the track record of the faculty in terms of research conducted in the field, extensive network with various tourism establishments, experience as a human resource manager or legal counsel in tourism establishments, list of tourism establishments as clients, and other consultancy services conducted in tourism establishments, government agencies and associations involved in tourism.

- 2) Invest in teaching modules that will develop the cognitive skills of students in terms of knowledge, understanding, application and emancipation of the tourism laws.
- 3) Train faculty members to be well-rounded in terms of following the "Bloom's Taxonomy of Learning." Therefore, faculty members must not only concentrate in teaching students to know the law; faculty members must also be trained in showing the students the rationale and spirit of the law, thus allowing the students to actually experience the laws in their everyday life.
- 4) Inculcate among the students on the need of manualizing tourism laws whenever they would want to set up businesses involving tourism or be employed in tourism establishments. In this regard, a human resource management course must include a special topic in writing manuals for tourism laws.

To incorporate Philippine Tourism Laws in the company manuals of the identified 8 tourism sectors:

- 1) Seminars on "How to write company manuals" must be conducted among the human resource managers of the identified 8 tourism sectors.
- 2) The academe, with experience in writing company manuals, may be tapped in order to help the identified 8 tourism sectors create a company manual for Philippine Tourism Laws.
- and affected government agencies (monitoring agencies) must conduct a monitoring schedule among the identified 8 tourism sectors to ensure that Philippine Tourism Laws are incorporated in their respective company manuals. A random monitoring system can be put in place considering the budget constraints experienced by these monitoring agencies. The frequency of the monitoring system will depend on the legal justification and importance of the tourism law to the specific tourism sector. Should there be no legal justification for the conduct of the monitoring whether company manuals are put in place among the identified 8 tourism sectors, a law must be passed to that effect.

4) There should be a pool of independent inspectors to be created by the Policy and Standards Unit of the Department of Tourism to inspect and monitor all identified tourism sectors to ensure that Philippine Tourism Laws are incorporated in their respective manuals.

RECOMMENDATION FOR FUTURE STUDY:

This study was limited using the 60 essential and general laws applicable to all sectors of the industry. It did not include other laws which are uniquely and particularly applicable to every sector of the tourism industry. The researcher suggests that further study be undertaken on the level of awareness of tourism laws affecting a specific sector of the tourism industry.

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