

LAWS OF GUYANA

GUYANA TOURISM AUTHORITY ACT

CHAPTER 91:13

Act
3 of 2002

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CHAPTER 91:13

GUYANA TOURISM AUTHORITY ACT

3 of 2002

An Act to provide for the incorporation of the Authority, to define its functions and for matters connected therewith or incidental thereto.

[1ST AUGUST, 2002]

Short title.

1. This Act may be cited as the Guyana Tourism Authority Act.

Interpretation.

2. In this Act –

“apartment” means any furnished premises in which sleeping accommodation and self-catering facilities are provided in three or more self-contained units for reward;

“Authority” means the Guyana Tourism Authority established by section 3(1);

“Director” means the Director of the Authority appointed under section 17;

“guest house” means any building or series of buildings containing not less than two bedrooms for the accommodation of guests and either with or without the provision of food and beverage for reward, and includes the curtilage thereof and all structures within such curtilage;

“licence” means a licence granted by the Authority under section 32;

“member” means a member of the Authority, including the Chairperson and Vice-Chairperson;

“restaurant” means premises used for the purpose of habitually providing meals for reward;

“tourism” means the range of activities that serve the needs and preferences of tourists;

“tourist” means a person who leaves his normal place of residence and work and travels to another location for purposes other than to live or work and contributes economic benefit to the location;

“tourist accommodation” means an apartment, a hotel, a resort, a guest house, an eco-lodge, an inn or any other premises or place where accommodation is provided to tourist for reward;

“tourism business” means the business of providing tourist accommodation, guest house or restaurant facilities, ground tour, water sports and other activities, attractions, service facilities, including transportation services to tourist resorts.

Establishment
and
incorporation
of the
Authority.

3. (1) There is hereby established a body corporate to be called the Guyana Tourism Authority.

(2) The Authority shall consist of the following members –

- (a) a Chairperson;
- (b) a Vice-Chairperson;
- (c) not less than four nor more than eight, other persons; and
- (d) its Director.

(3) Every member of the Authority including the Chairperson and the Vice-Chairperson shall be appointed by the Minister, except that the Director shall not be appointed the Chairperson.

(4) The Director shall be a non-voting member of the Authority.

Functions of
the Authority.

4. (1) the functions of the Authority shall be to promote the development of the tourism industry.

(2) Without prejudice to the generality of the foregoing the functions of the Authority are to-

- (a) design and implement suitable marketing strategies for the promotion of the tourism industry;
- (b) promote throughout Guyana awareness on the implications, importance and benefits of tourism;
- (c) promote increased, efficient and sustainable air, sea and land transport

services to, from and within, Guyana;

- (d) encourage and facilitate the development of amenities and facilities designed to attract tourists to Guyana;
- (e) develop, recommend and implement training programmes for persons employed or seeking employment in the tourism industry;
- (f) promote or assist in the provision of training facilities for persons providing services in tourism related industries;
- (g) regulate in collaboration with other relevant agencies with the approval of the Minister, standards to be maintained by all sectors of the tourism industry and institutions that provide training programmes for persons employed or seeking employment in the tourism industry;
- (h) facilitate, conduct and evaluate research in tourism and related subjects;
- (i) obtain, collate and evaluate all information the Authority considers necessary for the purpose of carrying out its functions under this Act;
- (j) compile and publish information relevant to tourism;

- (k) formulate and institute measures designed to enhance the role and image of Guyana as a tourist destination;
- (l) advise and recommend integrated, complementary, sustainable land use practices and environmental strategies for the development of tourism facilities in Guyana;
- (m) advise the Government on all aspects of tourism and matters affecting tourism;
- (n) do all such other acts and things that in the opinion of the Authority, would facilitate the proper discharge of its functions.

Directions by
Minister.

5. (1) The Minister may, after consultation with the Authority or otherwise give to the Authority such directions of a general character not inconsistent with the provisions of this Act or with the contractual or other legal obligations of the Authority, as he may think fit, as to the discharge by the Authority of its functions under this Act, and the Authority shall give effect to all such directions.

(2) The Authority shall furnish the Minister with such information with respect to its property and activities as he may from time to time require,

(3) The Authority shall afford to the Minister such returns or statements and other information in such manner and at as such times as the Minister may require.

Appointment
of Vice-
Chairperson.

6. The Vice-Chairperson so appointed may preside at meetings of the Authority in the absence of the Chairperson

and, subject to section 3(4), discharge such functions as the Authority may delegate to him from time to time.

Tenure of office of the members of the Authority.

7. The members of the Authority shall hold office on such conditions and for such terms, not exceeding two years, as the Minister may specify in the instrument of appointment and shall be eligible for re-appointment.

Notification of appointment and removal.

8. The appointment, termination of appointment and removal of the members shall be published in the *Gazette*.

Remuneration of members.

9. The members shall be paid such remuneration and allowances as may be determined by the Minister.

Disclosure of member's interest.

10. (1) A member who has any interest in a contract made or proposed to be made by the Authority or in any other matter that fails to be considered by the Authority shall disclose such interest to the Authority with details thereof.

(2) A member who has made a disclosure of his interest under subsection (1) shall not take part in any deliberation or discussion of the Authority relating to that contract or matter.

Termination of appointment of a member.

11. The Minister may terminate the appointment of a member for any good and sufficient cause, and in particular, if the member –

- (a) becomes of unsound mind or is otherwise incapable of carrying out his duties;
- (b) becomes bankrupt or compounds with his creditors;
- (c) is convicted on a charge in respect of any serious criminal offence;

- (d) is absent, except on leave from all meetings of the Authority held during two consecutive months, or during any three months in any period of twelve months or;
- (e) fails to discharge the functions conferred or imposed on him by or under this Act:

Provided that the appointment of a member shall not be terminated under this section unless he has been given a reasonable opportunity of being heard.

Resignation of
a member.

12. A member, other than the Director may at any time resign his office by giving notice in writing to the Minister.

Seal of the
Authority.

13. The seal of the Authority shall be kept in custody of the Chairperson or Vice-Chairperson, and may be affixed to documents or instruments pursuant to a resolution of the Authority in the presence of the Chairperson or Vice-Chairperson and the secretary and shall be authenticated by the signature of the Chairperson or Vice-Chairperson.

Meetings.

14. The Authority shall meet at least once a month and at such other times as may be necessary or expedient for the transaction of its business.

Quorum at
meetings.

15. One-half of the members of the Authority (of whom one shall be the Chairperson or the Vice Chairperson of the Authority) present at any meeting shall constitute a quorum for the transaction of business

Leave of
absence.

16. The Minister may grant to a member leave of absence where the member applies for such leave, provided the work of the authority is not adversely affected.

Appointment of Director, officers and employees of the Authority.

17. (1) The Authority may, with the approval of the Minister appoint on such terms and conditions as it thinks fit, a Director, a secretary, a legal counsel and such other officers and employees as may be necessary for the discharge of its functions.

(2) If the Director is temporarily absent from Guyana or temporarily incapacitated through illness or for any other sufficient reason from the performance of his duties, another person may be appointed in the manner provided by subsection (1) to be the Director during such temporary absence or other incapacity.

(3) The Director shall not be removed from office without the approval of the Minister.

Powers and duties of the Director.

18. (1) The Director shall be responsible to the Authority for the proper administration and discharge of the functions of the Authority in accordance with the Act and the policy of the Authority.

(2) The Director shall have general control of the officers and employees of the Authority and shall be responsible to the Authority for their discipline.

Arrangement for supply of services.

19. (1) The Authority may, with the approval of the Minister, enter into arrangements with persons, upon such terms and conditions as the Minister may approve for the supply of such services or facilities to the Authority, as it considers necessary for the proper discharge of its functions under this Act.

(2) The Authority shall not seek the approval of the Minister in respect of any arrangement contemplated by subsection (1) unless it is satisfied that-

- (a) the full financial implications of such an arrangement have been accurately

communicated to all the members of the Authority; and

- (b) the costs to the Authority resulting from such an arrangement can be met from the funds available to the Authority for that purpose.

Immunity from suits or other legal proceedings.

20. No action, suit, prosecution or other legal proceedings shall be brought or instituted personally against any member, officer or employee of the authority in respect of any act done *bona fide* in execution or intended execution or of his lawful duties:

Provided that where any such person is exempt from such liability by reason only of the provisions of this section, the Authority shall be liable to the extent that it would be if the member were a servant or agent of the Authority or the officer or employee were an agent of the Authority.

Funds and resources of the Authority.

21. The Funds and resources of the authority shall comprise –

- (a) all monies appropriated from time to time by the National Assembly for the purpose of the Authority;
- (b) all monies paid to the Authority by way of grants or donations;
- (c) all sums payable to the Authority in respect of advertisement or any other service performed by the Authority;
- (d) all amounts collected under the authority of this Act;
- (e) all monies borrowed by the Authority

under this Act or made available to the Authority under and for the purposes of the Authority; and

- (f) all other sums or property, which may in any manner become payable to or vested in the Authority in respect of any matter incidental to its powers and duties.

Borrowing powers.

22. (1) The Authority may, with the approval in writing of the Minister responsible for finance, borrow money from time to time from any source approved by the Minister responsible for finance for the purpose of meeting or discharging any of its obligations under this Act.

(2) The Authority may, with the approval of the Minister responsible for finance, give security over the whole or any part of its assets for the repayment of amounts borrowed under this section and the payment of interest charges on amounts so borrowed.

Guarantee.

23. The Government may guarantee the repayment by the Authority of amounts borrowed under section 22 and the payment of interest charges or any other charges in respect of a loan to the Authority.

Accounts and records of the Authority.

24. The Authority shall cause to be kept proper accounts and records of the transactions and affairs of the Authority and shall do all things necessary to ensure that all moneys received are properly brought to account, all payments out of its moneys are correctly made and properly authorised and that adequate control is maintained over its property and over the incurring of liabilities by the Authority.

Disposal of assets.

25. The Authority shall not, without the prior approval in writing of the Minister responsible for finance –

- (a) dispose of capital assets; or
- (b) apply the proceeds of a disposal to which paragraph (a) refers to any undertaking.

Financial year. **26.** The financial year of the Authority shall commence on 1st January in each year and expire on 31st December in the same year.

Estimates. **27.** (1) The Authority shall, not later than 1st August in each year, in such form as the Minister directs, submit to the Minister for approval estimates of the revenue and expenditure of the Authority for the following financial year.

(2) The Minister may approve the estimates, approve them in an amended form or return them to the Authority for re-submission in an amended form with a reasoned statement of his objections.

(3) In respect of any item of expenditure of the Authority, which is not authorised by the estimates or by the Minister, each member shall be personally, jointly and severally liable for it, provided that a member shall not be liable for such expenditure incurred by reason of a decision.

Accounts. **28.** (1) Not later than 1st July in each year, the Authority shall prepare an account in respect of the immediate preceding financial year and shall submit it to the Minister as soon as possible thereafter.

(2) The account referred to in subsection (1) shall be in the same form and detail as the estimates submitted under section 27 and shall contain such information as the Minister may require by notice in writing to the Authority.

Audit. **29.** The Auditor General shall examine and audit the annual accounts of the Authority in accordance with the

c. 73:02 provisions of the Financial Administration and Audit Act.

Annual Report. **30.** (1) The Authority shall as soon as possible after the end of each year and, in any event, not later than five months from the end of any year, submit to the Minister a report containing –

- (a) an account of the performance of the activities of the Authority and an analysis of the performance of the tourism industry during the preceding year;
- (b) an assessment of any marketing and advertising programmed undertaken; and
- (c) a statement of the audited accounts of the Authority.

(2) The Minister shall lay before the National Assembly a copy of the report referred to in subsection (1) as soon as practicable after receiving that report from the Authority.

Application for licence. **31.** Any person who desires to operate a tourism business shall make an application to the Authority in such a manner accompanied with such particulars and with such fee as may be prescribed by regulations; a person shall furnish such additional particulars as the Authority may request in any particular case.

Licensing of tourism business. **32.** (1) No person shall operate any tourism business except under, and in accordance with a licence issued by the Authority.

(2) A licence issued under subsection (1) shall be subject to such conditions as may be prescribed by regulations.

(3) Any person who operates a tourism business without a licence is guilty of an offence and is liable on summary conviction to a fine of one million six hundred thousand dollars and, a further fine of eighty thousand dollars for each day, which the offence continues after conviction.

Terms of licence.

33. Subject to this Act a licence shall be valid from the date of issue to the 31st day of December of the year during which the licence was issued, and shall be renewable annually not later than the 31st day of January of each year.

Display of licence.

34. Every licensee shall exhibit the licence or a certified copy thereof in a conspicuous place at his principal place of tourism business and at every branch where the licensee carries on such business.

Report.

35. (1) Before granting or renewing a licence, the Authority shall require, and have regard to, reports about the premises, from which it is proposed to operate the tourism business or from which such business is being operated, and its plant and equipment from or on behalf of-

- (a) the Executive Director of the Environmental Protection Agency;
- (b) the Chief Environmental Health Officer;
- (c) the Chief Fire Officer;
- (d) the Director of the Authority;
- (e) such other public officer as the Authority considers desirable.

(2) Any person referred to in paragraphs (a) to (e) of subsection (1) may inspect-

- (a) the premises from which it is proposed to operate a tourism business in respect of which an application for a licence or renewal thereof is pending; and
- (b) plant and equipment proposed to be used for the purpose of a tourism business in respect of which an application for a licence or renewal thereof is pending, and

at any reasonable time for the making the report required by subsection (1), and shall forthwith after such inspection make his report.

Variation of terms and conditions of licence.

36. (1) The Authority may upon application in that behalf made at any time by the licensee, or of its own motion at the time of renewal of a licence, vary any term or condition of a licence:

Provided that in varying any such term or condition the Authority shall take into account any representation made to it by the licensee and shall not vary such term or condition of its own motion without first giving to the licensee a reasonable opportunity to make such representation.

(2) Any variation of a term or condition of a licence made by the Authority under subsection (1) shall be endorsed on the licence; together with the date when it was made and the date when it is to take effect.

Failure to comply with conditions of licence.

37. (1) Where it appears to the Authority, after such enquiry as it may deem fit to make, that a licensee has –

- (a) failed to comply with any term or condition of the licence

- (b) operated the tourism business in contravention of this Act or any other law;
- (c) failed to pay any fee payable in respect of the licence,

the Authority may, by notice in writing require the licensee to remedy the default within such period not being less than forty days.

(2) If the licensee is in default, and fails within the time specified in the notice to remedy the default complained of by the Authority, the Authority may, by notice in writing, cancel the licence.

(3) A Licensee who fails to comply with, within the time specified for so doing, the requirements of a notice issued under subsection (1) and who continues to operate the tourism business concerned, is guilty of an offence and is liable on summary conviction to a fine of one hundred and fifty thousand dollars and a further fine of thirty thousand dollars for each day on which the offence continues after conviction.

Inspection of premises.

38. (1) For the purposes of section 37(1) any officer of the Authority authorised on its behalf, may at any reasonable time inspect any premises from which a tourism business is being carried on or any plant or equipment used in such business, in order to ascertain whether a licensee is in default.

(2) An authorised officer shall, if requested to do so, produce evidence of his Authority to inspect the premises, plant or equipment.

(3) On completion of an inspection, an authorised officer shall report the findings to the Authority.

Obstruction of officers.

39. Any person, who wilfully obstructs an officer of the Authority in the performance of his duties under this Act is guilty of an offence and is liable on summary conviction to a fine of one hundred and fifty thousand dollars.

Cancellation of licence.

40. The Authority may cancel a licence if –

- (a) the licensee has ceased to operate a tourism business or
- (b) the licensee continues to be in contravention of section 37 in spite of notice to him by the Authority under the said section to cease or remedy the contravention.

Appeal of decision of the Authority.

41. (1) A person aggrieved by the decision of the Authority –

- (a) refusing to grant or transfer a licence;
- (b) refusing to renew or vary a term or condition of a licence;
- (c) imposing or varying a term or condition of a licence; or
- (d) cancelling a licence,

may, within twenty-one days from the date on which such decision is communicated to him, appeal to the Minister.

(2) Subject to subsection (3), an appeal to the Minister under subsection (1) shall have the effect of suspending the execution of the decision of the Authority until the Minister gives his decision on the appeal.

(3) If the Minister considers that it would be in the

public interest to do so, he may order the execution of the decision appealed against pending the determination of the appeal, and shall give the appellant notice in writing of his decision.

(4) The Minister may confirm the decision appealed against or may –

- (a) direct the authority to grant or transfer a licence subject to such terms and conditions as he may determine;
- (b) direct the Authority to cancel a term or condition it has imposed on a licence, and substitute such other term or condition as he may determine;
- (c) direct the authority to restore a licence it has cancelled, or restore it on such terms and conditions as he may determine, and the authority shall comply with such direction.

Appeal of
decision of the
Minister.

42. A person who is aggrieved by the decision of the Minister in any appeal under section 41 may appeal against the Minister's decision to a Judge in Chambers whose decision shall be final.

Register to
tourism
business.

43. The Authority shall keep a register of all tourism business in respect of which licences have been granted under this Act.

Regulations.

44. (1) The Authority may, with the approval of the Minister, make regulations with respect to-

- (a) the terms and conditions subject to which a licence may be issued;

- (b) the protection of persons residing in or resorting to any premises operated as tourism business;
- (c) minimum requirement for the premises from which tourism business is or to be operated;
- (d) registration and control of facilities offered or made available to tourists;
- (e) the keeping of records and registers by licensee;
- (f) providing of monthly data on occupancy and rates to assist in sector planning;
- (g) fees or charges for licences or for services provided by the authority;
- (h) fee for application to be made for the grant of a licence or renewal thereof;
- (i) form and manner in which applications for licences under this Act shall be made and particulars to be filed;
- (j) generally for giving effect to the provisions of this Act.

(2) Any person who commits an offence under these Regulations shall be liable on summary conviction to a fine of fifty thousand dollars.

SUBSIDIARY LEGISLATION

Reg. 16/2008

**GUYANA TOURISM AUTHORITY (TOURISM
ACCOMMODATION ESTABLISHMENT)
REGULATIONS**

made under section 44

ARRANGEMENT OF REGULATIONS

REGULATION

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5. Licensing application procedure.
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SCHEDULE

[Subsidiary] *Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations*

Citation. 1. These Regulations may be cited as the Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations.

Interpretation. 2. In these Regulations, unless the context otherwise requires, "Tourism Accommodation Establishment" herein referred to as "establishment" means a hotel, apartment, a guest house or an inn.

Applicability. 3. These Regulations shall apply to –

c. 90:05
c. 89:01

- (a) an establishment operating with a business registration issued under the Business Names (Registration) Act, the Companies Act or permission to operate as a business from the relevant local government authority;
- (b) new establishments that have satisfied the requirements of the Act and these Regulations.

Conditions of licence.

4. (1) Every licence shall be subject to the provisions of the Act and these Regulations, and compliance shall be deemed to be a condition to which a licence to operate any establishment is subject, irrespective of whether reference to the Act and these Regulations is made in the licence itself.

(2) An establishment shall supply reports or certificates of conformity from the following agencies:

- (a) the Environmental Protection Agency;
- (b) the Chief Environmental Health Officer;

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- (c) the Chief Fire Officer;
- (d) the Central Housing and Planning Authority or the relevant municipal council or local government authority;
- (e) the National Insurance Scheme; and
- (f) the Guyana Revenue Authority.

before a licence to operate can be granted by the Authority,

(3) New businesses that cannot provide compliance with the National Insurance Scheme and the Inland Revenue Authority shall provide the National Insurance Scheme and Inland Revenue Authority registration numbers.

Licensing
application
procedure.
Schedule

5. (1) Any person who is desirous of operating an establishment shall apply to the Authority on the Form set out in the Schedule, for a licence to operate the establishment.

Schedule

(2) Each application for a licence shall be accompanied by the fee specified in the Application Form in the Schedule.

(3) Upon receipt of the completed Application Form and application fee, an authorised officer from the Authority shall carry out an inspection of the establishment, and shall submit a written report to the applicant listing the areas of non-conformities, if any, to the Act and these Regulations.

(4) Where the report list areas of non-conformities, the applicant shall be given a period of forty days, or a period agreed upon with the Authority to rectify the non-conformities identified in the report.

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(5) The applicant may be given an extension of time to comply with these Regulations.

(6) A second inspection may be done, if deemed necessary, by an authorised officer from the Authority to certify that the establishment has made the appropriate adjustments and is eligible for licensing and the authorised officer shall submit a written report to the applicant to this effect.

(7) Upon completion of the application processing, including inspection and assessment, the applicant shall pay the appropriate licence fees set out in the Schedule and be issued with a licence.

Inspections.

6. The Authority reserves the right to inspect, at any reasonable time, any establishment without prior notice.

Refusal and revocation of a licence.

7. The Authority may refuse to issue a licence or may revoke a licence, if an establishment is not in compliance with the provisions of the Act and these Regulations.

Transfer of licence.

8. A licensee shall not transfer his licence to a new owner without the approval of the Authority.

Alternative service and amenities.

9.(1) Notwithstanding any service and amenity requirement contained in these Regulations, the Authority may, in exceptional circumstances, for the purpose of licensing any establishment, accept alternative services and amenities instead of those set out in these Regulations as the Authority may deem appropriate.

(2) It shall be the responsibility of the operator of an establishment to ensure that any offer of services and amenities to persons other than guests shall not prejudice the provision of the services and amenities to guests.

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(3) The operator of an establishment shall –

- (a) clean and maintain the surroundings of the establishment;
- (b) comply with the relevant municipal or local authority disposal by laws; and
- (c) store waste for disposal in an identified place that is inconspicuous and away from guests' entry and exit.

Safety.

10. The operator of an establishment shall –

- (a) ensure and maintain a high degree of safety and security at the establishment;
- (b) take all reasonable precautions to ensure the personal safety of guests and the prevention of damages or theft of their possessions;
- (c) provide information, which shall be clearly displayed, on procedures to be taken in the event of an emergency;
- (d) make available to guests the procedures for summoning assistance, in particular, after hours; and
- (e) have a responsible person on call twenty four hours a day.

Current rates to be in printed form.

11. (1) The operator of an establishment provide at the reception area in printed form, the current rates to be charged for all categories of guest rooms or suites.

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(2) The information referred to in paragraph (1) shall include –

- (a) the rack rate for one person occupying a room or suite;
- (b) the rack rate for more than one person (including special rates for children, if any) occupying a room or suite up to the capacity of the room or suite; and
- (c) the additional taxes or service charges that are payable.

Information to be made available.

12.(1) The operator of an establishment shall make available at the reception desk and in other appropriate areas, information relating to –

- (a) credit and use of credit cards, payments by cheque and settlement of accounts;
- (b) daily foreign exchange rates and exchange rates used by the establishment;
- (c) cancellation of bookings;
- (d) check out time;
- (e) charges for telephone, internet, cable, fax and telex services;
- (f) responsibility for luggage or personal property of guests;

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- (g) safe deposit for guests' jewellery and valuables; and
- (h) codes of dress and behaviour applicable in any areas of the premises;

(2) The operator of an establishment shall provide to the Authority, within one month, any change in the rack rates of the establishment and shall supply information of occupancy on a monthly basis in a format stipulated by the Authority.

Registration records.

13. (1) The operator of an establishment shall keep guest registration records and shall include –

- (a) the name of guests;
- (b) the address and country of residence;
- (c) the nationality of guests;
- (d) arrival and departure dates; and
- (e) room rates charged.

(2) Guests shall provide same form of identification.

(3) Where the guest is under the age of eighteen, the operator of the establishment may require registration to be completed by his parent or guardian.

Requirements for licensing.

14. The operator of an establishment shall provide the following minimum requirements for licensing –

- (a) a reasonable standard of exterior and interior decoration;

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- (b) a copy of the common tariff in all bedrooms;
- (c) instructions displayed in each bedroom regarding the procedures to be followed in the event of a natural or man-made disaster;
- (d) adequate lighting;
- (e) sufficient size to allow freedom of movement of the guest occupying the room;
- (f) windows equipped with curtains or other means of ensuring privacy;
- (g) beds with mattresses, clean sheets, pillow cases and bed covers of comfortable proportions;
- (h) wash basin with mirror, running water, soap, glass tumbler and clean towels;
- (i) bedside table or adequate alternative, cabinet or shelf with shaded light;
- (j) seating facility in every bedroom;
- (k) wardrobe or other provision for hanging clothes;
- (l) wastepaper receptacles;
- (m) carpet or rug for each bed;
- (n) nonslip bedside carpets (applicable for tiled floor);

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Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations

- (o) fire proof ashtrays;
- (p) "do not disturb" or similar signs;
- (q) smoke detector in bedrooms;
- (r) means of securing doors of balconies and patios from inside;
- (s) means of securing doors from inside and outside;
- (t) information to guest indicating the location of safety deposit facilities;
- (u) hotel information sheet, detailing service and facilities;
- (v) the number placed on the door of each bedroom or suite;
- (w) telephones in the establishments for use by the guests;
- (x) signs displayed at convenient locations indicating how to obtain emergency assistance at night;
- (y) sufficient lighting of bedrooms, corridors and stairs to ensure safety during the hours of darkness;
- (z) private or general restrooms furnished with toilets, shower, towel, rail, bath mat, receptacle for soap, and hook for cloths, sanitary disposal unit, electric point within reach of a mirror unless installed in each bedroom or private bathroom.

[Subsidiary]

Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations

- (aa) private or general restrooms, if not attached to each bedroom, with toilet paper, cloth for cleaning and brush;
- (bb) separate restroom with running water, soap and towel or other hand drying method for guests;
- (cc) first aid emergency kits and relevant equipment with adequately trained personnel based on the facility (Trained personnel approved by the Authority);
- (dd) gardens and grounds maintained in tidy conditions and the footpaths, car park and roads in serviceable state;
- (ee) in the case of the properties with swimming pools, proper maintenance of swimming pools in accordance with the requirements of the Environmental Health Unit of the Ministry of Health; and
- (ff) a kitchen waste disposal system provided with grease traps and all garbage on the site to be collected, stored and disposed.

Service.

15. The licensee shall also provide —

- (a) prompt and courteous service;
- (b) access for residents of the establishment to service during the day and evening and at all hours if pre-arranged; and

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Guyana Tourism Authority

[Subsidiary]

Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations

- (c) an adequately lit and ventilated sitting room area.

Offences.

16. (1) Any person who fails to comply with regulations 8, 9(3), 10, 11, 12, 13(1) and 15 commits an offence.

(2) A person who commits an offence under these Regulations shall be liable on summary conviction to a fine of fifty thousand dollars.

Regs. 5(1), 5(2), 5(7)

SCHEDULE

TOURISM ACCOMMODATION ESTABLISHMENTS LICENCE APPLICATION FORM GUYANA TOURISM AUTHORITY

Name of Business:.....

Name and address of Applicant:.....

Business

Address:.....

Telephone#:..... Fax #:.....

Website:.....

Email:.....

Date

registered:.....

Type of Business: (please tick the appropriate)

Hotel [] Apartment [] Guest House [] Inn []

Does your establishment provide the following (tick applicable boxes)?

Dining Facility []

Conference facility []

[Subsidiary] Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations

Sports and Recreational facilities

Business Centre

Other.....

Number of rooms:..... Accommodation Capacity:.....

Please provide a breakdown of your rooms type and capacity on a separate sheet

I hereby declare that the information supplied with this application is true and correct to the best of my knowledge.

Signature/Owner/Manager..... Date.....Business Stamp

1. Application fee for an establishment shall be GY\$2,000.00

2. The following rates shall apply for licence

Number of Rooms	Licence Fees in GY\$
1-15	25,000
16-30	50,000
31-60	75,000
61-100	100,000
101- above	150,000

3. Applicants shall submit with their application the following:

- (a) a copy of business registration;
- (b) in the case of companies; a copy of its Memorandum or Articles of Association; and certificate of registration;

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Guyana Tourism Authority

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Guyana Tourism Authority (Tourism Accommodation Establishment) Regulations

- (c) certificate of conformity from the Agencies specified in regulation 4(2) of these Regulations.

Made this day of , 20 .

Chairperson of the Authority

Approved this day of 20 .

Minister of Tourism, Industry and Commerce.

[Subsidiary]

Guyana Tourism Authority (Tour Operators) Regulations

**GUYANA WATER AUTHORITY (TOUR OPERATORS)
REGULATIONS**

Made under section 44

ARRANGEMENT OF REEGLATIONS

REGULATIONS

1. Citation.
2. Interpretation.
3. Conditions of licence.
4. Application for licence.
5. Refusal, revocation and extension of time.
6. Renewal of licence.
7. Knowledge of Act, and other relevant regulations.
8. Facilities.
9. Responsibilities of a tour operator.
10. Appearance.
11. Motor vehicles, floating crafts and aircrafts.
12. Safety measures.
13. Insurance.
14. Policy about dispute resolution process.
15. Honesty, fairness and professionalism.
16. Skill, care and diligence.
17. High pressure tactic or harassment.
18. False or misleading representation.
19. Free goods or services.
20. Provision of goods and services included in travel package.
21. Offences.

SCHEDULE

Citation.

1. These Regulations may be cited as the Guyana Tourism Authority (Tour Operators) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

“aircraft” means any mechanically propelled device that is capable of flight through the air;

“all inclusive” means the total cost of the tour including all other charges that may be incurred while on tour;

“destination management service” means service provided by a company which may include contracts with hotels, transportation companies or other suppliers to create a tour package for resale directly to the consumer or travel agents;

“floating craft” means a vessel that is propelled on water by an engine, oars or sail;

“motor vehicle” means any mechanically propelled vehicle intended or adapted for use on land;

“public liability insurance” means the type of insurance that covers a member of the public for loss, damage to property to injury to self;

“quality” means the total characteristics of a product that bear on its ability to satisfy expressed and implied needs;

“tour” means any pre-arranged journey to one or more destinations provided by a tourist guide or tour operator for remuneration;

“tourist guide” means an individual who is licensed by the Guyana Tourism Authority to guide a tour party, provide general information, interpret, indicate and

[Subsidiary]

Guyana Tourism Authority (Tour Operators) Regulations

inform on items of interest along the way to' or at a tourist attraction;

"tour itinerary" means the itemized aspects of an arranged tour which includes the routes and expected times of departure, places to be visited and the expected time of return or final stop of a tour party;

"tour operator" means an individual or a company that provides a range of tour services for the international or domestic tourism market;

"tour package" means a combination of several travel components provided by one or more suppliers which are sold to a consumer as a single product at a single price;

"tour party" means an individual or a group of individuals who are participants of a tour.

Conditions of
licence.

3. (1) Compliance with the provisions of the Act and these Regulations shall be deemed to be a condition, to which a licence to operate is subject, irrespective of whether or not reference to the Act and these Regulations is made in the licence itself.

c. 90:03
c. 89:01

(2) Establishments shall operate with a business registration issued under Business Names (Registration) Act, the Companies Act of Guyana or with permission to operate as a business from the relevant local Authorities,

Application for
licence.
Schedule

4. (1) An application for a licence shall be made to the Authority on the Form set out in the Schedule, along with the appropriate application fees.

(2) Upon completion of the application process which shall include inspection and assessment of the operation, the appropriate licensing fees shall be paid as

specified in the Application Form in the Schedule, before the issuance of a licence.

(3) Within twenty-one days of receipt of the completed application, authorised officer from the Authority shall carry out an inspection and evaluation of tour operation and shall submit a written report to the applicant listing areas of non-conformities, if any, to these Regulations.

Refusal,
revocation and
extension of
time.

5. (1) The Authority may refuse to issue a licence, or may revoke a licence, at any time the Authority determines the tour operation, is not in compliance with the Act and these Regulations.

(2) If at any time the Authority determines that a licensed tour operator or the applicant is not in compliance with the provisions of the Act and these Regulations, the Authority shall notify the licensed tour operator or the applicant of the operation in writing, of the alterations or changes as may be deemed necessary to be in compliance with the Act and these Regulations.

(3) The tour operator shall be allowed a period of at least forty days following receipt of the notice, in order to correct non-conformities specified by the Authority.

(4) Upon the expiration of the period of time allowed by the Authority, the Authority shall review the progress of the owner's attempts to be in compliance with these Regulations and may grant additional time for compliance.

(5) Upon the expiration of the time to comply with the regulation requirements, and any extensions thereof, the Authority may revoke or not renew the licence of the tour operator.

[Subsidiary]*Guyana Tourism Authority (Tour Operators) Regulations*

Renewal of
licence.
Schedule.

6. The renewal of a licence shall be done on a Form determined by the Authority and shall attract the fee stipulated in the Schedule.

Knowledge of
Act, and other
relevant
regulations
c. 20:05

7. A tour operator shall have reasonable knowledge and understanding of the Act, these Regulations, any relevant regulations made under the Environmental Protection Act and all other relevant health and safety regulations in so far as they relate to the owner of the business of a tour operator.

Facilities.

8. The tour operator shall provide the following –

- (a) well maintained facilities with established means of communication between the potential customer and staff;
- (b) facilities for financial transactions;
- (c) clean washrooms;
- (d) sheltered seating;
- (e) a reception area and a receptionist to deal with enquiries; and
- (f) appropriate facilities for physically challenged persons, as far as is practicable.

Responsibilities
of a tour
operator.

9. The tour operator shall be responsible for the following –

- (a) to plan the tour itinerary;
- (b) to advertise and market the tour,
- (c) to book all tours;

- (d) to ensure the availability of all necessary equipment in sufficient quantity for the tour party;
- (e) to ensure that the equipment to be used are in good working order;
- (f) to ensure that tourist guides and staff are adequately qualified to perform their duties;
- (g) to inform a responsible third party of the tour itinerary;
- (h) to establish a ratio of tour guides to the tour party relevant to the type of tour and ensure that the ratio does not exceed one tour guide to every thirty tourists under any circumstances;
- (i) to ensure that all legal requirements are met;
- (j) to make available evaluation forms for the tour party provide response to the Authority upon the Authority's request;
- (k) to ensure that there are effective means of communication between tourist guides and base operation or other appropriate contact to cater for situations of emergency; and
- (l) to deal with physically challenged persons as far as practically as possible.

[Subsidiary]

Guyana Tourism Authority (Tour Operators) Regulations

Appearance.

10. Tour operators shall ensure that staff members are clearly identifiable as they shall-

- (a) be appropriately attired while on duty; and
- (b) observe good personal hygiene practices at all times.

Motor vehicles,
floating crafts
and aircraft.

11. (1) Tour operators shall provide documentations for scrutiny by the authorised inspectors of the Authority with regards to all motor vehicles, floating crafts and aircraft.

(2) Any person who owns a motor vehicle, floating craft or aircraft shall satisfy the legal and regulatory requirements including those relating to registration insurance, safety equipment, road worthiness, sea worthiness or air worthiness (as appropriate) status based on inspections conducted by, or on behalf of the relevant authority.

(3) The Authority reserves the right to examine the relevant documents mentioned in paragraph (2) above.

Safety
measures.

12. All safety equipment used on a tour shall –

- (a) be subjected to inspections by the Authority or a duly qualified individual appointed by the Authority;
- (b) undergo checks based on a fixed inspection and maintenance schedule; and
- (c) be thoroughly examined prior to use on a tour for apparent defects, notwithstanding paragraph (b).

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Guyana Tourism Authority

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Guyana Tourism Authority (Tour Operators) Regulations

Insurance.

13. All tour operators shall have public liability insurance that covers the entire tour party.

Policy about dispute resolution process.

14 (1) A tour operator shall have a written policy for resolving disputes between the tour operator and a tourist, and shall ensure that the policy –

- (a) allows a tourist to participate in a timely and appropriate dispute resolution process that has regard to a tourist's status as a person who temporarily resides in Guyana;
- (b) states, in a prominent way, that –
 - (i) a tourist may contact the Authority if he is concerned about the conduct of the tour operator; and
 - (ii) the dispute resolution process described in the policy does not stop a tourist from exercising his rights to other legal remedies.

(2) The tour operator shall inform each tourist, about the tour operator's policy and if any tourist requests a copy of the policy, provide him with a copy.

Honesty, fairness and professionalism.

15. A tour operator shall act honestly, fairly and professionally in carrying on the business of a tour operator.

Skill, care and diligence.

16. The tour operator shall exercise reasonable skill, care and diligence in carrying on the business of a tour operator.

[Subsidiary]

Guyana Tourism Authority (Tour Operators) Regulations

High pressure
tactics or
harassment.

17. A tour operator shall not, in dealing with a person in relation to a travel package arranged by the tour operator –

- (a) use high-pressure tactics or harass the person;
- (b) encourage or engage another person to use high-pressure tactics or harass the person; or
- (c) condone the use of high-pressure tactics or harassment of person by any other person.

False or
misleading
representation.

18. (1) A tour operator shall not, when dealing with a tourist participating in a tour arranged by a tour operator –

- (a) make a false or misleading representation to a tourist;
- (b) encourage or engage another person to make a false or misleading representation to a tourist; or
- (c) condone the making of a false or misleading representation to a tourist by any person.

(2) Without limiting paragraph (1), a tour operator shall not make, encourage, engage another person to make, or condone the making of, a false or misleading representation about any of the following relating to the package –

- (a) the mode and standard of transport used for transfers and sightseeing;
- (b) the existence or location of, or access

to, a place or attraction;

- (c) the time required or route used to go to a place or attraction;
- (d) the standard, style or price of accommodation;
- (e) the standard or price of food or beverages;
- (f) guiding services;
- (g) the price of entry to tourist attractions, tours, entertainment or other activities including, for example, whether the price is included in the travel package;
- (h) restrictions that apply to the travel package including for example, restrictions about baggage, children, seat allocation or smoking;
- (i) conditions about reservations, payment, refunds or cancellations; or
- (j) the management of tours included in the travel package.

(3) In addition a tour operator shall ensure –

- (a) that a quotation given by the tour operator for goods or a service included in a travel package or tour discloses the total cost of the goods or service;

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Guyana Tourism Authority (Tour Operators) Regulations

- (b) that an advertisement or promotional materials about goods and services included in a travel package arranged by the tour operator disclose any conditions or restrictions applying to the supply of the goods or service; and
- (c) that tours are not dominated by shopping.

Free goods or services.

19. The tour operator shall not charge for goods or services that are available free of charge to the public.

Provision of goods and services included in travel package.

20.(1) A tour operator shall ensure that goods or service included in a travel package or tour arranged by the tour operator are provided in accordance with any representation about the goods or service made in an itinerary, quotation or promotional material for the package or tour.

(2) Notwithstanding the provisions of paragraph (1). where due to circumstances reasonably beyond the tour operator's control, goods or service are unavailable when required to be provided under the package, the tour operator shall –

- (a) provide, as far as reasonably practicable, goods or service of a similar type, value and quality as the unavailable goods or service; or
- (b) if the tour operator cannot reasonably comply with paragraph (a), the tour operator shall refund the cost of the unavailable goods or service.

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Guyana Tourism Authority

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Guyana Tourism Authority (Tour Operators) Regulations

(3) However, if goods or service of a similar type, value and quality are unavailable, a tour operator may, with the informed consent of the tourist who purchased the travel package or tour, substitute other goods or another service of equivalent value.

Offences.

21. (1) Any person who fails to comply with regulations 8, 9, 11 (1).and (2), 13, 14, 17, 18, 19 or 20 commits an offence.

(2) A person who commits an offence under these Regulations shall be liable on summary conviction to a fine of fifty thousand dollars.

Regs. 4(1) & (2), 6.

SCHEDULE

TOUR OPERATORS LICENCE APPLICATION FORM

GUYANA TOURISM AUTHORITY

Name of Business.....
Name and Address of owner:.....
Business Address:.....
Telephone #Fax.....
Website.....Email.....
Date Registered.....

Table with 2 columns: Tour packages, Price (please specify in GY\$ or US\$). It contains 5 empty rows for data entry.

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Guyana Tourism Authority (Tour Operators) Regulations

Tour itineraries and other information can be supplied on a separate sheet.

I hereby declare that the information supplied with this application is true and correct to the best of my knowledge.

Signature of Owner or Manager.....

Date.....

Tour Operator's Application

Applicants shall submit together with their application the following:

- (a) proof of the tour operator's business registered under the laws of Guyana;
- (b) in the case of a company, a copy of its Memorandum or Articles of Association and certificate of registration;
- (c) a description of the nature and categories of tour packages offered;
- (d) detailed list of equipment used to carry out tours;
- (e) copies of boat and vehicles registration and valid insurance certificates;
- (f) a copy of the operation plan, including the emergency plan.

Application fee: all operators \$2000.

Licensing fees: all operators \$25000.

Yearly renewal of licence will attract a fee of \$ 25000.

Reg. 18/2008

GUYANA TOURISM AUTHORITY (TOURIST GUIDES) REGULATIONS

made under section 44

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Register of persons qualified as tourist guides.
4. Application and licensing fees.
5. Conditions for issue of licence.
6. Renewal of licence.
7. Refusal and revocation.
8. Identity document.
9. Responsibilities of a tourist guide.
10. Appearance.
11. Safety measures.
12. Maximum persons to be guided.
13. Commencement and end of organized tours.
14. Report by tourist guide.
15. Suspension and cancellation of registration or licence of a tourist guide.
16. Representations by applicants.
17. Offences.

SCHEDULE

Citation.

1. These Regulations may be cited as the Guyana Tourism Authority (Tourist Guides) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires –

“register of tourist guides” means the register kept by the Authority;

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Guyana Tourism Authority (Tourist Guides) Regulations

"speciality tourist guide" means any tourist guide who has; expert knowledge on a particular tourist attraction for which the tour has been arranged;

"tourist guide" means an individual who is licensed by the Authority to guide a tour party, provide general information, interpret, indicate and inform on items of interest along the way or at a tourist attraction;

"tour itinerary" means the itemised aspects of an arranged tour which includes the routes and expected times of departure, places to be visited and the expected time of return or final stop of a tour party;

"tour operator" means an individual or a company that provides a range of tour services for the international or domestic tourism market;

"tour party" refers to an individual or a group of individuals who are the customers of a tour operator.

Register of persons qualified as tourist guides.

3. (1) The Authority shall keep a register of persons who are qualified to act as tourist guides, which shall be open for inspection by the public.

(2) Any person who, to the satisfaction of the Authority –

- (a) has passed an appropriate examination to act as a tourist guide; or
- (b) possesses tourist guide qualifications deemed to be equivalent to the Authority,

shall be entitled to enrol in the said register.

(3) Subject to the provisions of these Regulations, a person registered under these Regulations shall be issued with a licence, to be a tourist guide.

(4) An application to register as a tourist guide shall be made to Authority and shall contain the necessary details, accompanied by the relevant certificates or other documentations that may, from time to time, be required by the Authority.

(5) Any person who, on the coming into force of these Regulations is licensed as a tourist guide by the Authority shall be registered for the purpose of these Regulations.

(6) Registered tourist guides may, from time to time, be required by the Authority to attend courses organised by the Authority or by any person or institution on behalf of the Authority for the purpose of their continued professional development.

(7) Registered tourist guides who fail to attend such courses without reasonable explanation or prior permission of alternative arrangements consented to by the Authority shall be cancelled from the register of tourist guides.

(8) Any guide coming from overseas must be exposed to at least two weeks of local training.

Application and
licensing fees.
Schedule

4. An application shall be made to the Authority on the Form set out in the Schedule along with the appropriate fees and a licence fee shall be paid as specified in the Application Form in the Schedule, after the application is granted.

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Guyana Tourism Authority (Tourist Guides) Regulations

Conditions for
issue of licence.

5. (1) A person shall not be registered and licensed as a tourist guide, unless he satisfies the Authority that he is of good character, produces a valid police or other, recognised public official character recommendation that clearly states the person is fit and proper to act as a tourist guide.

(2) Any person applying to the Authority for a licence to operate as a tourist guide shall satisfy the Authority that –

- (a) he has successfully completed the foundation First Aid course conducted by the Red Cross or any other First Aid or Cardiac Pulmonary Resuscitation body that is recognised;
- (b) he is the holder of a valid certificate or certificates from either of the organisations referred to in subparagraph (a) above.

(3) Tourist guides shall show to the Authority evidence of renewal of their First Aid or Cardiac Pulmonary Resuscitation certificate before a licence is issued or renewed.

Renewal of
licence.

6. (1) The renewal of a licence shall be done on a Form determined by the Authority.

(2) The Authority reserves the right to request the tourist guide to appear in person before the renewal of his licence for the purpose of (person's) evaluation.

Refusal and
revocation.

7. The Authority may refuse to issue a licence or may revoke a licence at any time the Authority determines the tourist guide is not in compliance with the Act and these Regulations.

Identity
document.

8. (1) The Authority shall issue an identity document to any tourist guide registered and licensed under these Regulations.

(2) The identity document shall contain a photograph of a tourist guide any other information the Authority deems necessary.

(3) The identity document shall remain the property of the Authority and shall be returned to the Authority on demand, or on the suspension or revocation of registration or a licence issued under these Regulations.

(4) A tourist guide shall, at all times, while guiding or conducting an organised tour or excursion, wear the identity document in a conspicuous place.

(5) Any person making use of any identity document issued to another person: or who fails to return the identification document when so requested by the Authority shall be guilty of an offence against these Regulations.

Responsibilities
of a tourist
guide.

9. A tourist guide shall be responsible for the following –

- (a) to conduct or guide an organised tour in a professional manner;
- (b) to accompany the organised excursion at all times except when free time is allowed;
- (c) to ascertain the safety of the tour party while on tour;
- (d) to ensure safety equipment and first aid kits are readily accessible on tour;

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Guyana Tourism Authority (Tourist Guides) Regulations

- (e) to ensure that the tour party is properly guided to minimise any negative impact on the tourist attraction;
- (f) to provide the tour party the opportunity to learn more about the social, cultural, heritage, political, environmental circumstances of the country; and
- (g) to advise the tour party against actions that will be in contravention to regulations and statutory requirements of the tourist attraction environment and laws of Guyana.

Appearance.

10. A tourist guide shall –

- (a) be appropriately attired while on duty,
- (b) be physically fit and mentally sound; and
- (c) ensure that good personal hygiene practices are upheld at all times on his part.

Safety
measures.

11. A tourist guide shall –

- (a) ensure that all equipment to be used on the tour are proper in working order;
- (b) be competent in the use of the equipment available on the tour;
- (c) have where practical an effective means of communication with a responsible third party in the event of any emergency;
- (d) prior to use on the tour, examine all

equipment thoroughly for apparent defects and malfunctions; and

- (e) ensure that the safety equipment provided are utilised efficiently on the tour.

Maximum persons to be guided.

12. A tourist guide shall guide a maximum number of persons under the following categories, unless special permission is applied for from the Authority to do otherwise

- (a) city tours and other instances where tour buses and boats are used the ratio shall not exceed one tourist guide to thirty tourists, and
- (b) in interior tours, that are done on foot the ratio shall not exceed one tourist guide to fifteen tourists.

Commencement and end of organized tours.

13. The tourist guide shall be deemed to start an organised tour at the time he is requested to report to commence his duties as per itinerary and is deemed to end when the last passenger leaves the tour.

Report by tourist guide.

14. The tourist guide shall at the request of a person engaging his services, submit free of cost a detailed written report on the organised tour one week after the tour, or within such other longer period as may be agreed with the tour operator.

Suspension and cancellation of registration or licence of a tourist guide.

15.(1) Where the Authority is convinced that a tourist guide has –

- (a) behaved in an improper manner not befitting the duties and responsibilities of a tourist guide;

[Subsidiary]

Guyana Tourism Authority (Tourist Guides) Regulations

- (b) acted in contravention of any of the provisions of the Act or Regulations or has failed to do something which he is required to do under the Act or by these Regulations;
- (c) been convicted of an offence under the Act or these Regulations, of any other offence which in the opinion of the Authority renders him unfit to continue to act as a tourist guide or reflects adversely on the status of a tourist guide,

the Authority may take the steps referred to in paragraph (2).

(2) The Authority may, having regard to the circumstances of the case –

- (a) suspend or cancel his registration;
- (b) suspend or revoke the licence issued to the guide;
- (c) in the case of any suspension, referred to in sub-paragraphs (a) and (b) above, the suspension or revocation shall not exceed a period of five years;
- (d) where the registration or licence of a tourist guide has been cancelled or revoked in terms of the above sub-paragraphs (a) and (b), the tourist guide shall not be eligible to re-apply for registration for a licence before

the lapse of the period of such cancellation or revocation.

Representations by applicants.

16. (1) Before refusing to grant or renew a registration or licence or before suspending or cancelling of any registration or licence in accordance with the provisions of the Act and these Regulations, the Authority shall inform the applicant or licensee of its intention and shall give him the opportunity to make representations.

(2) If an applicant is aggrieved by any decision of the Authority, he may lodge an appeal from the decision in accordance with the provisions of the Act to the Board of Directors of the Authority.

Offences.

17. (1) Any person who fails to comply with regulations 9, 11 or 12 commits an offence.

(2) A person who commits an offence under these Regulations shall be liable on summary conviction to a fine of fifty thousand dollars.

reg.4

SCHEDULE

TOUR GUIDES LICENCE APPLICATION FORM

GUYANA TOURISM AUTHORITY

Name of Applicant:.....

Name and address of owner:.....

.....

[Subsidiary]

Guyana Tourism Authority (Tourist Guides) Regulations

Business

Address:.....

Telephone#:.....Fax#

Website.....E-mail.....

Date of Birth National ID

Areas of Speciality:

.....

Educational Institution Attended:

Name of Institution	Address	Years attended From – to

Qualifications — (Primary, Tertiary and Professional)

Institution	Years Attended	Accreditation

I hereby declare that the information supplied with this application is true and correct to the best of my knowledge.

Signature of Guide.....Date.....Business Stamp

Tour Guide's Application

Applicants shall submit together with their application the following:-

- (a) proof of tour guide training and qualifications;
- (b) copies of all academic, tour guide and first aid training certificates and any other professional certificates;
- (c) professional details, including a work history reference from recognised tour operator or a higher recognised and credible individual;
- (d) a description of the nature and type of services offered;
- (e) a valid police clearance or a character testimony from a recognised personnel;
- (f) a medical certificate from a government GMO;
- (g) two references.

Fees: Licences fee: \$ 10,000 for two years

requires –

"lodge" means –

- (a) a small rustic house used as a temporary shelter;
- (b) a hostel providing overnight lodging for travellers;
- (c) a hotel, especially with a rustic or wilderness theme, situated outside the urban area with cabins or rooms with private or shared bathrooms;
- (d) a building, often in a resort or camp setting, providing sleeping accommodation, meeting rooms, and restaurants;
- (e) a detached residence with a group of adjoining single bedrooms of uniform style with shared adjacent common areas; or
- (f) a rustic house or inn that is located in a remote area;

"resort" means –

- (a) a place used for relaxation or recreation, generally distinguished by a large selection of activities, such as food, drink, lodging, sports, entertainment, and shopping;
- (b) a place where all accommodation, services and entertainment are under one roof and can vary from luxury, economy, nature or eco type facilities.

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Applicability.

3. These Regulations shall apply to –

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- (a) lodges and resorts operating with a business registration issued under the Business Names (Registration) Act, the Companies Act or permission to operate as a business from the relevant local government authority; and
- (b) new lodges and resorts that have satisfied the requirements of the Act and these Regulations.

Conditions of
licence.

4. (1) Every licence shall be subject to the provisions of the Act and these Regulations and compliance shall be deemed to be a condition to which a licence to operate any lodge or resort is subject, irrespective of whether reference to the Act and these Regulations is made in the licence itself

(2) Lodges and resorts shall supply –

- (a) reports or certificates of conformity from –
 - (i) the Environmental Protection Agency or an authorised-regional or local inspectorate body on behalf of the Environmental Protection Agency; and
 - (ii) the Central Housing and Planning Authority or relevant authorised statutory regional or local authority on behalf of the Central Housing and Planning Authority;

(b) proof of land ownership,

before a licence can be granted by the Authority.

Licensing
application
procedure.
Schedule

5. (1) Any person desirous of operating a lodge or resort shall apply to Authority in the Form set out in the Schedule, for a licence to operate the lodge or resort.

Schedule

(2) Each application for a licence shall be accompanied by the fee specified in the Application Form in the Schedule.

(3) Upon receipt of the completed Application Form and application fee an authorised officer from the Authority shall carry out an inspection and assessment of lodge or resort, and shall submit a written report to the applicant listing the areas of non-conformities, if any, to the Act and these Regulations.

(4) Where the report list areas of non-conformities, the applicant shall be given a period of forty days, or a period agreed upon with the Authority to rectify the non-conformities identified in the report.

(5) The applicant may be given an extension of time to comply with the Act and these Regulations.

(6) A second inspection may be done if deemed necessary by an authorised officer from the Authority to certify that the lodge or resort has made the appropriate adjustments and is eligible for licensing and the authorised officer shall submit a written report to the applicant to this effect.

(7) Upon completion of the application processing if the applicant has complied with the provisions of the Act and these Regulations, the applicant shall pay the

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(c) fuel-burning appliances shall be properly vented and used in accordance with the Environmental Protection (Air Quality) Regulations 2000;

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(d) plumbing shall be properly installed and maintained in accordance with the applicable Code made under the Guyana National Bureau of Standards Act and at no time shall plumbing be arranged in a manner that may allow pollution or contamination of potable water supplies;

(e) where applicable swimming pools, spas, and similar facilities shall be installed and maintained in accordance with the requirements of the Environment Health Unit of the Ministry of Health; and

(f) lodges and resorts shall be kept in clean and sanitary conditions, good repair, and shall be maintained and operated with strict regard to the health and safety of the transient or permanent guest.

Drinking water
to be supplied.

12. The licensee of a lodge or resort shall provide adequate and accessible supply of potable drinking water to the guests at the lodge or resort.

Registration
required.

13. (1) A person renting or leasing a room at a lodge or resort shall show proof of identification in order to be registered.

(2) Where the person is under the age of eighteen, the licensee may require a parent or guardian of the person to register.

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Lodge and
resort policy.

14. The licensee of a lodge or resort shall provide to a guest at the time of check-in full details of the lodge or resort's policy on –

- (a) check-in and check-out time;
- (b) cancellation;
- (c) refunds;
- (d) prices for accommodation, meals and refreshments, including service charge, surcharges and levies;
- (e) safety, risk and other determinant factors;
- (f) who is responsible for the guest;
- (g) special conditions applying to children;
- (h) eviction rights;
- (i) smoking; and
- (j) any other in-house policy.

Waste
management
disposal.
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15. (1) The licensee of a lodge or resort shall –

- (a) comply with the Environmental Protection Act and applicable local authority by-laws on storage and disposal of waste; and
- (b) place waste for disposal in an identified place that is inconspicuous and away from visitor's entrance and exit.

Sewage and waste water treatment.

16. (1) A licensee shall ensure sewage and waste water treatment and disposal be accomplished in a manner so as to not create a health hazard, pollute ground water, or create a nuisance.

(2) A lodge or resort shall comply with the applicable local authority by-laws for the establishment of sewage disposal units and facilities.

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(3) The licensee shall ensure sewage and waste water treatment systems with a discharge shall be installed and maintained in compliance with the Environmental Protection Act.

Safety and security.

17. A licensee shall –

- (a) ensure and maintain a high degree of safety and security;
- (b) take all reasonable precautions to secure the personal safety of the guests and to prevent theft or damages of or to their possessions;
- (c) clearly display any information and procedures to be taken in the event of an emergency;
- (d) display the procedures for summoning assistance; and
- (e) appoint a responsible person on site or call twenty-four hours per day.

Cleanliness and comfort.

18. A licensee shall maintain a high standard of cleanliness throughout a lodge or resort so that the lodge or resort shall be fit and comfortable for the purpose intended.

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Service.

19. The licensee of a lodge or resort shall –

- (a) provide friendly and efficient service at the lodge or resort;
- (b) handle all enquiries, requests, reservations correspondences and complaints promptly and courteously;
- (c) make clear to all visitors what is included in the prices quoted for accommodation, meals and refreshments, including service charge, surcharges, and levies;
- (d) provide, on request, brochures or leaflets detailing the lodge or resort's pricing structure;
- (e) display at a prominent place at the lodge or the resort, the amenities, facilities and services provided by the lodge or the resort to all visitors and prospective guests.

Communication.

20. (1) The licensee of a lodge or resort located in the interior shall provide an effective means of communication to a centralised third party available on location:

(2) The owner of a lodge or resort shall ensure all rooms in the lodge or resort are equipped with a device that can alert, management in an emergency.

Signs.

21. A lodge or resort shall have appropriate signs posted to guide visitors and reduce the risk of security and safety issues at the lodge or resort.

Offences.

22. (1) Any person who fails to comply with regulations 9, 10(1), 11, 12, 14, 15, 16, 17, 18, 19, 20 or 21 commits an offence.

(2) A person who commits an offence under these Regulations shall be liable on summary conviction to a fine of fifty thousand dollars

Regs. 5(1), 5(2), 5(7)

SCHEDULE

LODGES AND RESORTS LICENCE APPLICATION FORM

GUYANA TOURISM AUTHORITY

Name of Business

Name and address of owner:.....

Business address :.....

Telephone#:..... Fax #.....

Website..... E-mail.....

Date registered:

Type of lodge or resort: (please tick the appropriate)

Luxury Economy Fun park Nature or eco recreational resort

Does your Business provide the following (tick applicable boxes)

Dining Facility Conference Facility

Sports and Recreational Facilities Business Centre

Other.....

Number of rooms:..... Accommodation Capacity.....

Please provide a break down of your rooms type and capacity on a separate sheet.

I hereby declare that the information supplied with this application is true and correct to the best of my knowledge.

Signature of Owner/Manager..... Date..... Business Stamp

1. Application fee for a lodge or resort is GY \$2000.00
2. The following rates shall apply for Licence

Types of facilities	Licence fees in GY \$
Fun Parks and Recreational Resorts	100,000
Recreational Resorts	40,000
1-15 capacity for overnight guest	40,000
16-30 capacity for overnight guest	50,000
31-60 capacity for overnight guest	70,000
61 and above capacity for overnight guest	100,000

3. Applications shall submit with their application the following –

- (a) a copy of the business registration;
- (b) in the case of companies, a copy of its Memorandum or Articles of Association and certificate of registration;
- (c) certificates of conformity from the Agencies

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specified in regulation 4 (2) of these
Regulations.
