

TOURISM AND HOSPITALITY (LICENSING) REGULATIONS

[Section 80]

Arrangement of Regulations

SI 51 of 2016,

SI 26 of 2022.

1. Title

These Regulations may be cited as the Tourism and Hospitality (Licensing) Regulations, 2016.

2. Interpretation

In these Regulations, unless the context otherwise requires, words and expressions have the meanings assigned to them in the Act.

3. Application for licence

An application for a licence shall be made to the Board in Form I set out in the First Schedule.

4. Application by agent

An agent making an application on behalf of another person shall submit, with the application, Form II set out in the First Schedule.

5. Receipt of application

The Board shall acknowledge the receipt of an application for a licence in Form III set out in the First Schedule.

6. Request for further particulars or information

The Board shall request for further particulars or information from an applicant in Form IV set out in the First Schedule.

7. Issue of licence

The Board shall, where an applicant meets the requirements of the Act, issue a licence in Form V set out in the First Schedule.

8. Rejection of application

The Board shall, where it rejects an application for a licence, inform the applicant of the rejection in Form VI set out in the First Schedule.

9. Transfer of licence

(1) An application for approval to transfer a licence shall be made to the Board in Form VII set out in the First Schedule.

(2) The Board shall, where it approves an application to transfer a licence, reissue the licence in the name of the new enterprise for the remainder of the period of validity of the licence.

10. Variation of licence

(1) An application to vary or amend the terms and conditions attached to a licence shall be made to the Board in Form VIII set out in the First Schedule.

(2) The Board shall, where it rejects an application to vary or amend the terms and conditions attached to a licence, notify the applicant in Form VI set out in the First Schedule.

(3) Where the Board grants an application to vary or amend the terms and conditions attached to a licence, it shall endorse the amendment or variation on the licence.

11. Surrender of licence

A licensee shall, where the licensee ceases business operations, surrender the licence to the Board for cancellation.

12. Suspension of licence

(1) The Board shall, where it intends to suspend a licence, notify the licensee in Form IX set out in the First Schedule.

(2) A notice of the suspension of a licence shall be in Form X set out in the First Schedule.

(3) An enterprise whose licence is suspended shall cease to operate for the period during which the licence is suspended.

13. Revocation of licence

(1) The Board shall, where it intends to revoke a licence, notify the licensee in Form XI set out in the First Schedule.

(2) A notice of the revocation of a licence shall be in Form XII set out in the First Schedule.

14. Renewal of licence

(1) An application for the renewal of a licence shall be made to the Board in Form XIII set out in the First Schedule.

(2) Where the Board rejects an application for the renewal of a licence, it shall give notice of the rejection in Form VI set out in the First Schedule.

(3) Where the Board grants an application for the renewal of a licence, it shall issue a new licence in Form V set out in the First Schedule.

15. Quarterly returns

A tourism enterprise shall submit quarterly returns not later than the 14 days from the end of each quarter in Forms XIV and XV set out in the First Schedule.

16. Appeal

An appeal against the refusal of the Board to approve an application shall be made to the Minister in Form XVI set out in the First Schedule.

17. Register of guests

(1) An accommodation establishment shall maintain a register of guests in Form XVII set out in the First Schedule.

(2) A register referred to in sub-regulation (1) may be maintained in electronic format.

18. Fees

The fees set out in the Second Schedule are payable in respect of the matters specified in that Schedule.

19. Revocation of S.I. No. 109 of 2009

The Tourism and Hospitality (Licensing) Regulations, 2009, are revoked.

FIRST SCHEDULE

[Regulations 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 and 17]

PRESCRIBED FORMS

FORM I

[Regulation 3]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

FORM II

[Regulation 4]

(To be completed in duplicate)

(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

FORM OF AUTHORISATION OF AGENT

(1) Here insert the full names of the person authorising, and in the case of a company, the name of the Director I/We (1) have appointed (2) of (3) to act as my/our agent for and request that all notices, requisition and communications relating thereto may be sent to such agent at the above address.

(2) Here insert name and address of agent I/We hereby revoke all previous authorisations, if any, in respect of the same matter or proceedings.

(3) Here state the particular matter or proceeding for which the agent is appointed, giving the reference number if known

I/We declare that I am/the company is registered in (4)

(4) Here state nationality of principal or country of registration of company Dated this day of 20.....

(5) To be signed by person appointing the agent (5)
Signature of principal

(6) Here insert the full trade or business address of principal Address (6)

Dated this day of, 20.....

(5)
Signature of agent

FORM III

[Regulation 5]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015

(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

RECEIPT OF APPLICATION

(1) Here insert the full names and address of applicant To (1)
.....

(2) Here insert the reference No. of the application IN THE MATTER OF (2) you are hereby informed that your application for a tourism and

hospitality licence for the years (3)
..... to
..... was successfully submitted and is
being processed.

(3) Here insert the period

.....
Director

FORM IV

[Regulation 6]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016
REQUEST FOR FURTHER INFORMATION

(1) Here insert the full names and address of applicant To (1)
.....
.....
.....

(2) Here insert the reference No. of the application IN THE MATTER OF
(2) you are hereby
requested to furnish the following information or
documents in respect of your application:

(a)
.....
(b)
.....
(c)
.....
(d)
.....

(3) Here state the period within (3) If you fail to furnish the
requested information within the stipulated period, your
application will be treated as invalid and shall be rejected.

Dated this day of, 20....

.....
Director

FORM V

[Regulation 7]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)
The Tourism and Hospitality (Licensing) Regulations, 2016
LICENCE No.

TOURISM AND HOSPITALITY LICENCE
(Section 27 of the Tourism and Hospitality Act, 2015)

Holder's name
Type of tourism enterprise
Address
The licence is valid from day of to the day of, 20....
The conditions of grant of the licence are attached hereto.
Issued at this day of 20....

ENDORSEMENT OF LICENCE

This licence has this day of, 20.... been entered in the Register.

.....
Director

Transfers/Amendments/Renewals

Date of Transfer/ Amendment/Renewal	Details of Transfer/ Amendment/Renewal	Date of Issue and Licence No.	Signature of Director
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FORM VI

[Regulations 8, 10(2) and 14(2)]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)
The Tourism and Hospitality (Licensing) Regulations, 2016
NOTICE OF REJECTION OF APPLICATION

(1) Here insert the full names and address of applicant To (1)
.....
.....

(2) Here insert the reference No. of the application IN THE MATTER OF (2) you
are hereby notified that your application for (3)
..... has been rejected on the following
grounds:

(a)
.....
.....

.....
.....
.....

.....
.....
.....

(3) Here insert type of application (d)
.....
.....

.....
..... Dated this day of, 20.....

.....
Director

FORM VII

[Regulation 9]

(To be completed in duplicate)

.....

.....
.....
.....

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)
The Tourism and Hospitality (Licensing) Regulations, 2016

FORM VIII

[Regulation 10]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015

(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

FORM IX

[Regulation 12(1)]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

NOTICE OF INTENTION TO SUSPEND TOURISM AND HOSPITALITY LICENCE

(1) Here insert the full names and address of Licensee To (1)
.....
.....
.....
.....
.....
.....

(2) Here insert the Licence No. IN THE MATTER OF (2)
..... you are
hereby notified that the Board intends to suspend your
licence on the following grounds:

(a)
.....
.....

(3) Here state address of Agency (b)
.....
.....

(c)
.....
.....

(d)
.....
.....

(4) Here insert the number of days stipulated (Should not be less than thirty days) Accordingly, you are requested to appear before the Director on the day of..... 20..... at (3)..... to address the matters set out in paragraphs (above) within (4)..... days of receiving this notice.

Your failure to appear before the Director shall result in the suspension of your licence.

Dated this day of, 20.....

.....
Director

FORM X

[Regulation 13(1)]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)
The Tourism and Hospitality (Licensing) Regulations, 2016
NOTICE OF SUSPENSION OF TOURISM AND HOSPITALITY LICENCE

(1) Here insert the full names and address of Licensee To (1)
.....
.....
.....
.....
.....

(2) Here insert the Licence No. IN THE MATTER OF (2)
..... you are hereby notified that your Licence has been suspended for (3) on the following grounds:

(a)
.....
.....

(3) Here state period of suspension (b)
.....
.....

(c)
.....
.....

(d)
.....
.....

This Notice shall take effect on the day of 20....., and is subject to the following terms and conditions:

(a)
.....
.....

(b)
.....

(c)
.....
.....

(d)
.....
.....

Dated this day of, 20.....

.....
Director

FORM XI

[Regulation 13(1)]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

NOTICE OF INTENTION TO REVOKE TOURISM AND HOSPITALITY LICENCE

(1) Here insert the full names and address of Licensee To (1)
.....
.....

IN THE MATTER OF (2)

..... you are hereby notified that the Board intends to revoke your licence on the following grounds:

(2) Here insert the Licence No. (a)
.....
.....

.....
(b)
.....
.....
(c)
.....
.....
(d)
.....
.....

This Notice shall take effect on the day of 20....., and is subject to the following terms and conditions:

- (a)
.....
.....
- (b)
.....
.....
- (c)
.....
.....
- (d)
.....
.....

Dated this day of, 20.....

.....
Director

FORM XIII

[Regulation 14 (1)]

(To be completed in duplicate)

FORM XIV

[Regulation 15]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)
The Tourism and Hospitality (Licensing) Regulations, 2016
TOURISM ENTERPRISE QUARTERLY RETURN
Reporting Months: From to Year:

Licence No.: Date of Issue: Renewal Date:

	Original	Amended
1.	If amended, amendment Approval Number	
No.	Description	Details
2.	Unique Reference Number (URN)	
3.	Name of Tourism Enterprise	
4.	Postal Address	P.O. Box
	District	
	Province	
5.	Physical Address	Plot/House No.
	Street	

Area

District

Province

6. E-mail Address

7. Telephone Details Landline

Fax number

8. *Establishment Type:*

Travel Agent	Tour Operator	Car Hire
Adventure Activities	Safari Operator/Hunting Outfitter	Air Charter
Convention/Conference Centre	Vessel Hire	Other (state which)

9. Brief Description of Facilities (if changes)

(i) tour operators: indicate whether engaging in outbound or inbound packages or both, type of tour activities and number and type of vehicles, boats, canoes, rafts, helicopter, micro lights, bicycles, etc. (including seating capacity);

(ii) vehicle/ vessel leasing: indicate number and type of vehicles/vessels (including seating capacity);

(iii) air charters: indicate number and type of airplanes (including seating capacity);

(iv) travel agencies: indicate whether engaging in outbound or inbound travel, including international air ticketing;

(v) hunting safari, number of hunting blocks, camps and packages;

(vi) conference facilities: indicate number of meeting rooms capacity.

FORM XV

[Regulation 15]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)
The Tourism and Hospitality (Licensing) Regulations, 2016
ACCOMMODATION ENTERPRISE QUARTERLY RETURN
Reporting Months: From to Year:

Licence No.: Date of Issue: Renewal Date:

	Original	Amended
	If amended, amendment Approval Number	
No.	Description	Details
2.	Unique Reference Number (URN)	
3.	Name of Tourism Enterprise	
4.	Postal Address	P.O. Box
	District	
	Province	
5.	Physical Address	Plot/House No.
	Street	
	Area	
	District	
	Province	
6.	E-mail Address	
7.	Telephone Details	Landline
	Fax number	
	Mobile	

8. Establishment Type:

	Hotel	Guesthouse	Bed and breakfast
	Lodge and safari camp	Bush camp	Backpacker and hostel
	Camping site and caravan park	Self-catering	

9. Brief description of facilities (if any changes)

Description of property, bedroom plans and grounds, stating extent and amenities. (indicate number and type of rooms/campsites/beds/single, double, twin, suites, including bed capacity)

FORM XVI

[Regulation 16]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

NOTICE OF APPEAL TO THE MINISTER

(1) Here state the reference No. of the application IN THE MATTER OF (1) I hereby give notice of appeal against the decision of the Board on the following grounds (2):

(a)

.....
.....

(b)

.....
.....

(2) Attach brief, if necessary

(c)

.....
.....

(d)

.....
.....

Dated this day of 20.....

.....
Signature of Appellant

FORM XVII

[Regulation 17]

(To be completed in duplicate)

The Tourism and Hospitality Act, 2015
(Act No. 13 of 2015)

The Tourism and Hospitality (Licensing) Regulations, 2016

REGISTER OF GUESTS

(This Form must be completed by Guests on Arrival)

ACCOMMODATION ESTABLISHMENT REGISTER

Car/Flight No.: Room No.: Room rate:
Name (State Mr./ Mrs./ Miss in BLOCK LETTERS)

Number of persons: Travelling as family YES NO
Permanent residential address:

Nationality: Date of arrival at establishment:
Passport/Travel Document/NRC No.

Purpose of stay at hotel:
Holiday Business
Meetings, Incentives, Conference or Events Visiting friends or relatives
Study Other (specify) ..

Date of arrival in Zambia:

Is this your first time in Zambia? YES NO

Proposed date of departure from hotel:
If not resident in Zambia the following details must be completed

Proposed date of departure from Zambia:

Address to which proceeding:

Signature of Guest:

FOR OFFICIAL USE ONLY

Identity checked by:

Note

Please be informed that the Tourism and Hospitality Act, 2015, states in sections 50(5) and 52(3) as follows-
Register of Guests

50. (5) A person who knowingly makes a false statement in the register of guests commits an offence and is liable, upon conviction, to a fine not exceeding twenty thousand penalty units or to imprisonment for a period not exceeding three months, or to both.

Liabilities of hotel-keeper, proprietor or hotel administration

52. (3) Where a proprietor, hotelkeeper or hotel administration is liable to make good the loss of, or any damage to, goods and personal property brought to the accommodation establishment, the proprietor's, hotel-keeper's or hotel administration's liability to any guest shall not exceed such amount as may be prescribed in respect of any one article or in aggregate, except that a proprietor or hotelkeeper shall not be liable where-

- (a) the property was stolen, lost or damaged through the default, neglect or wilful act of the guest;
- (b) the property was not deposited by, or on behalf of, the guest for safe custody with the proprietor, hotel-keeper or the proprietor's or hotel-keeper's employee or agent authorised or appearing to be authorised for the purpose and, if so required by the proprietor or hotel-keeper or that employee or agent, put into a container fastened or sealed by the depositor; or
- (c) at any time after the guest had arrived at the accommodation establishment, the property in question was not offered for deposit unless the proprietor, hotelkeeper or the proprietor's or hotel-keeper's employee or agent refused to receive it.

Money or valuables may be handed to the Manager for safe keeping.

SECOND SCHEDULE

[Regulation 18]

PRESCRIBED FEES

Type of application	Type of tourism enterprise	Fee Units
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Application for licence	Tour Operation Business	20,000
Amusement and Theme Parks	20,000	
Air Charter and Gliding Business	20,000	
Travel Agencies	20,000	
Car Hire	20,000	
Hunting Safari	20,000	
Boat Cruise	20,000	
House Boat/Boatels	20,000	
Convention/Conference Centre	20,000	
Tour Guide Local	10,000	
Tour Guide Foreign	20,000	
Discotheque/Night Club	20,000	
Adventure Activities	20,000	
Outside Catering Services	20,000	
Events/Exhibition Management	20,000	
Restaurant	20,000	
	Accommodation Establishment	
5 Star Establishments (per bed/site)	400	
4 Star Establishments (per bed/site)	380	
3 Star Establishments (per bed/site)	360	
2 Star Establishments (per bed/site)	340	
1 Star Establishments (per bed/site)	320	
Un-graded Establishments (per bed/site)	300	
Application for renewal of licence	Tour Operation Business	20,000
Amusement and Theme Parks	20,000	
Air Charter and Gliding Business	20,000	
Travel Agencies	20,000	
Car Hire	20,000	
Hunting Safari	20,000	
Boat Cruise	20,000	
House Boat/Boatels	20,000	
Convention/Conference Centre	20,000	
Tour Guide local	10,000	
Tour Guide foreign	20,000	
Discotheque/Night Club	20,000	
Adventure Activities	20,000	
Outside Catering Services	20,000	
Events/Exhibition Management	20,000	
Restaurant	20,000	
	Accommodation Establishment	
5 Star Establishments (per bed/site)	300	
4 Star Establishments (per bed/site)	280	
3 Star Establishments (per bed/site)	260	
2 Star Establishments (per bed/site)	240	
1 Star Establishments (per bed/site)	220	
Un-graded Establishments(per bed/site)	200	
Application for transfer of licence		20,000

Application for variation or amendment of licence	20,000
Annual retention fee	10,000