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TABLE OF CONTENTS

PAGE

FIRST SUPPLEMENT

LEGAL SUPPLEMENT

A.	ACTS — NIL	
B.	SUBSIDIARY LEGISLATION — Regulations No. 16 of 2008 - The Guyana Tourism Authority (Tourism Accommodation Establishments) Regulations 2008	331
	Regulations No. 17 of 2008 - The Guyana Tourism Authority (Tour Operators) Regulations 2008	341
	Regulations No. 18 of 2008 - The Guyana Tourism Authority (Tourist Guides) Regulations 2008	353
	Regulations No. 1 of 2008 - The Guyana Tourism Authority (Lodges and Resorts) Regulations 2008	363
C.	BILLS — NIL	

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SATURDAY 22ND NOVEMBER, 2008

GUYANA

No. 19 of 2008

REGULATIONS

Made Under

GUYANA TOURISM AUTHORITY ACT 2002
(No. 3 of 2002)

IN EXERCISE OF THE POWERS CONFERRED UPON THE GUYANA TOURISM AUTHORITY BY SECTION 44 OF THE GUYANA TOURISM AUTHORITY ACT 2002, THE AUTHORITY, WITH THE APPROVAL OF THE MINISTER, MAKES THE FOLLOWING REGULATIONS:-

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Applicability.
4. Conditions of licence.
5. Licensing application procedure.
6. Inspections.
7. Assessment
8. Refusal or revocation of a licence.
9. Transfer of licence
10. Extension and expansion of facilities.
11. Safety and sanitation standards.
12. Drinking water to be approved.
13. Registration required.

14. Lodge and resort policy.
15. Waste management disposal.
16. Sewage and waste water treatment.
17. Safety and security.
18. Cleanliness and comfort.
19. Service.
20. Communication.
21. Signs.
22. Offences.

SCHEDULE

Citation.

1. These Regulations may be cited as the Guyana Tourism Authority (Lodges and Resorts) Regulations 2008.

Interpretation.

2. In these Regulations, unless the context otherwise 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.

Applicability.

3. These Regulations shall apply to-

- (a) lodges and resorts operating with a business registration issued under the Business Names (Registration) Act, the Companies Act 1991 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 the Authority in the Form set out in the Schedule, for a licence to operate the lodge or resort.

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

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 the 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 lists 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 appropriate licence fees set out in the Schedule and be issued with a licence.

Schedule

6. The Authority shall inspect a lodge or resort annually and have the right of entry and access to a lodge or resort at all reasonable times.

Inspections.

7. An authorised officer of the Authority shall, at any reasonable time, enter and assess the physical condition, sanitary condition, operational, safety, security and the administrative aspects of a lodge or resort.

Assessment.

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

Refusal or revocation of a licence.

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

Transfer of licence.

10. (1) A licensee shall not extend or expand a lodge or resort without notifying the Authority.

Extension and expansion of facilities.

(2) Upon completion of the construction of the extension or expansion of the lodge or resort, the licensee shall pay the additional licence fee thereby upgrading the licence.

Safety and
sanitation
standards

11. The licensee of a lodge or resort shall comply with the following safety and sanitation standards -

- (a) fire safety of lodges and resorts shall be in accordance with the
Cap. 22:01. Fire Prevention Act;
- (b) electrical wiring shall be properly installed and maintained in
accordance with the applicable Code made under the Guyana
Act 11 of 1984. National Bureau of Standards Act 1984;
- (c) fuel-burning appliances shall be properly vented and used in
accordance with the Environmental Protection (Air Quality)
No. 9 of 2000. Regulations 2000;
- (d) plumbing shall be properly installed and maintained in accordance
with the applicable Code made under the Guyana National Bureau
Act 11 of 1984. of Standards Act 1984 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, in
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.

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 and disposal. Act 11 of 1996.

15. (1) The licensee of a lodge or resort shall-

- (a) comply with the Environmental Protection Act 1996 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.

(3) The licensee shall ensure sewage and waste water treatment systems with a discharge shall be installed and maintained in compliance the Environmental Protection Act 1996.

Act 11 of 1996

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.

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 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 and 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.

SCHEDULE

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

LODGES AND RESORTS LICENCE APPLICATION FORM



GUYANA TOURISM AUTHORITY

Name of Business :.....

Name and address of owner :.....

Business address :.....

.....

Telephone #: Fax #:

Website email

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.

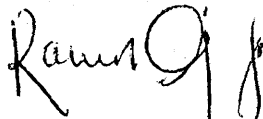
Signature of Owner/Manager Date Business Stamp

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

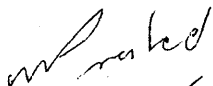
Types of facilities	Licence fees in GY \$
Fun Parks and Recreational Resorts	100,000.
Recreational Resorts	40,000.
1-15 capacity for overnight guest	40,000.
16-30 capacity for overnight guest	50,000.
31-60 capacity for overnight guest	70,000.
61 and above capacity for overnight guest	100,000.

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 specified in regulation 4 (2) of these Regulations.

Made this ^{21st} day of October, 2008.

 Chairperson of the Authority

Approved this ^{21st} day of October, 2008


Minister of Tourism, Industry and Commerce.