

BELIZE:

STATUTORY INSTRUMENT

No. 12 of 2006

REGULATIONS made by the Belize Tourism Board, with the approval of the Minister responsible for Tourism, in exercise of the powers conferred upon it by section 15 of the Belize Tourism Board Act, Chapter 275 of the Substantive Laws of Belize, Revised Edition 2000 - 2003; and all other powers thereunto it enabling.

(Gazetted 4th February, 2006.)

1. These Regulations may be cited as the

Short title.

**BELIZE TOURISM BOARD (TOUR OPERATORS)
(AMENDMENT) REGULATIONS, 2005,**

and shall be read and construed as one with the Belize Tourism Board (Tour Operators) Regulations which are hereinafter referred to as the principal Regulations.

S.I. 90 of
1999.

2. Regulation 2 of the principal Regulations is hereby amended as follows:

Amendment
of Regulation
2.

(a) in subregulation (1), by adding the following new definition in its proper alphabetical order:

“ground handling operation tour services” means services provided by a tour operator who does not market tour packages, but executes or provides tour packages on the ground to tourists or guests”;

(b) in subregulation (2):

(i) by repealing the word "pre-selected" wherever occurring in paragraphs (a), (b) and (c) thereof;

(ii) by adding the following paragraphs immediately after paragraph (d):

"(e) an individual, company, or entity that operates and markets tour packages internationally and subcontracts the provision of tour services to another individual, company, or entity in Belize;

(f) an individual, company, or entity that operates and markets tour packages internationally and executes, arranges, organizes and/or coordinates tour packages of any nature to guests and visitors to Belize;

(g) an individual, company, or entity which, either wholly or in part, provides, arranges, or organizes tours, journeys, or tourist services for visitors to Belize by way of transport, accommodation, tours, or guides;

(h) an individual, company, or entity which executes, arranges, organizes and/or coordinates dive and marine-based tour services."

3. Regulation 3 of the principal Regulations is hereby amended in subregulation (2) as follows:

Amendment
of Regulation
3.

(a) by repealing paragraph (a) thereof and by replacing it by the following:

“(a) one representative nominated by the local Tour Operators Association recognized by the Board;”;

(b) by repealing the word “and” occurring at the end of paragraph (e);

(c) by adding the following new paragraphs immediately after paragraph (f): -

“(g) one representative nominated by the Belize Port Authority; and

(h) one representative nominated by the Department of Transport”.

4. Regulation 4 of the principal Regulations is hereby amended as follows:

Amendment
of Regulation
4.

(a) by renumbering that regulation as subregulation (1);

(b) by adding a new subregulation (2) as follows:

“(2) In performing its functions under subregulation (1) (a) above, the Committee shall make recommendations to the Board, but the final determination of any application shall be made by the Board.”

5. Regulation 7 of the principal Regulations is hereby amended as follows:

Amendment
of Regulation
7.

(a) in subregulation (1)

(i) by repealing paragraph (a) and by replacing it by the following:

“(a) shall expire twelve months after its issue”;

(ii) by adding the expression “or fails to comply with any provision, duty, or requirement as set out in these Regulations” immediately after the expression “any term or condition set out therein” occurring in paragraph (e);

(b) by renumbering subregulations (3) and (4) as subregulations (4) and (5), and by adding a new subregulation (3) as follows:

“(3) It shall be a condition of every licence issued pursuant to these Regulations that the holder thereof shall comply with these Regulations, regardless of whether reference is made in any provisions of the licence to these Regulations”.

**Amendment
of Regulation
8.**

6. Regulation 8 of the principal Regulations is hereby amended as follows:

(a) by renumbering the existing Regulation as subregulation (1);

(b) in the renumbered subregulation (1), by adding the following new paragraphs at the end thereof:

“(g) to maintain ethical standards at all times in the conduct of business with guests, visitors, and customers and not carry

out malpractices which are contrary to the interests of such guests, visitors, and customers;

(h) notify the Board in writing on an annual basis of all packages, services, and tours offered, including the description of the nature and category of tour packages and services offered;

(i) to be in possession of valid passenger liability insurance or public liability insurance, particularly in the event of any injury or death, and to provide proof of such insurance to the Board annually;

(j) to provide one tour guide for every eight guests for marine-based tours and one tour guide for every fifteen passengers for terrestrial and land based tours.”;

(c) by adding a new subregulation (2) immediately after the renumbered subregulation (1) as follows:

“(2) It shall be the duty of any licence holder to comply with any Policy developed and approved by the Board from time to time”.

7. Regulation 9 of the principal Regulations is hereby amended as follows:

**Amendment
of Regulation
9.**

(a) in subregulation (1): -

(i) in paragraph (a), by adding the expression “or its” immediately after the expression “a tourist under his” occurring therein;

(ii) in paragraph (b), by adding the expression “or its” immediately after the expression “a tourist under his” occurring therein;

(iii) by repealing paragraph (c) and by replacing it by the following:

“(c) carries out or attempts to carry out his or its functions under these Regulations while he or its agents is or are under the influence of alcohol or illicit drugs; or”;

(iv) by adding new paragraphs (f) and (g) immediately after paragraph (e) as follows:

“(f) advertises, offers, or sells tour packages and services and does not provide, in part or in whole, the services advertised, offered, or sold; or

(g) advertises, offers, or sells tour packages and services of a certain standard or quality and provides, in part or in whole, packages and services of an inferior or lesser standard or quality as advertised, offered, or sold”;

(b) by repealing subregulation (2) and replacing it by the following:-

“(2) Any licence holder who:

(a) operates, advertises, or holds himself or itself out as a tour operator without first obtaining a license issued under these Regulations; or

(b) having been issued with a license, operates in contravention of any term or condition contained in the license; or

(c) having been issued with a license, operates in contravention of any provision, duty, or requirement as set out in these Regulations; or

(d) works or conducts business as a tour operator during any period of suspension of his or its license or after such license has been revoked by the Board;

commits an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding six months, or to both such fine and period of imprisonment”.

(c) by repealing subregulation (4) and replacing it by the following:

“(4) Without prejudice to any penalties which may be prescribed by any other law, if a tour operator:

- (a) fails to comply with the duties and requirements as set out in Regulation 8 herein;
- (b) has in any application for a license made any statement which is false in any material particular;
- (c) is guilty of any misconduct which renders him unfit to continue to act as a licensed tour operator;
- (d) commits or fails to comply with any of the provisions of these Regulations;
- (e) contravenes or fails to comply with any of the provisions of these Regulations;
- (f) engages in any conduct which is not specifically prohibited under these Regulations but which in the opinion of the Committee places the profession in disrepute,

the Board may impose on such tour operator any of the following disciplinary measures, namely:-

- (a) a reprimand;
- (b) suspension of the license of the tour operator for such period as the Board may determine;
- (c) refusal to renew a license of the tour operator for such period as the Board may determine; or
- (d) revocation of the licence of the tour operator”.

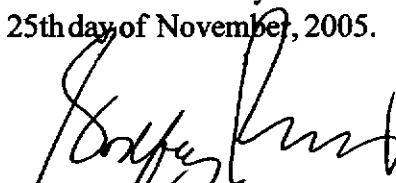
Commencement.

8. These Regulations shall come into force on signature.

MADE by the Belize Tourism Board this 25th day of November, 2005.


(CHAIRMAN)

APPROVED by the Minister responsible for Tourism this 25th day of November, 2005.


(GODFREY P. SMITH)
Minister Responsible for Tourism