

ශ්‍රී ලංකා ප්‍රජාතාන්ත්‍රික සමාජවාදී ජනරජයේ ගැසට් පත්‍රය

අති විශේෂ

# The Gazette of the Democratic Socialist Republic of Sri Lanka

EXTRAORDINARY

අංක 1963/28 - 2016 අප්‍රේල් මස 20 වැනි බදාදා - 2016.04.20

No. 1963/28 - WEDNESDAY, APRIL 20, 2016

(Published by Authority)

## PART I : SECTION (I) — GENERAL

### Government Notifications

L.D.B. 9/2005.

#### THE TOURISM ACT, No. 38 OF 2005

##### Order under Section 48(5)

BY VIRTUE of the powers vested in me by subsection (5) of section 48 of the Tourism Act, No. 38 of 2005, I, John Anthony Emmanuel Amaratunga, Minister of Tourism Development and Christian Religious Affairs, do by this Order specify that the fees payable in respect of the registration of tourist hotels and for the licensing of registered tourist hotels, belonging to the categories specified in Column I of the Schedule hereto shall be such rate as is specified in Column II and Column III respectively of such Schedule.

JOHN ANTHONY EMMANUEL AMARATUNGA,  
Minister of Tourism Development and  
Christian Religious Affairs.

Colombo,  
19th April, 2016.

#### SCHEDULE

<i>Fees Payable for Registration and Licensing</i>			
<i>COLUMN I</i> <i>Category</i>		<i>COLUMN II</i> <i>Registration Fee</i>	<i>COLUMN III</i> <i>Licensing</i>
(1)	1 Star Hotel	Rs. 5,000. 00	Rs. 2,000.00
(2)	2 Star Hotel	Rs. 10,000.00	Rs. 2,500.00
(3)	3 Star Hotel	Rs. 15,000.00	Rs. 5,000.00
(4)	4 Star Hotel	Rs. 20,000.00	Rs. 7,500.00
(5)	5 Star Hotel	Rs. 25,000.00	Rs. 10,000.00

05-74/1

This Gazette Extraordinary can be downloaded from [www.documents.gov.lk](http://www.documents.gov.lk)



L.D.B. 9/2005.

### **THE TOURISM ACT, No. 38 OF 2005**

Regulations made by the Minister of Tourism Development and Christian Religious Affairs under section 69 of the Tourism Act, No. 38 of 2005 read with section 50 of the aforesaid Act on the advice of the Sri Lanka Tourism Development Authority.

JOHN ANTHONY EMMANUEL AMARATUNGA,  
Minister of Tourism Development and  
Christian Religious Affairs.

Colombo,  
19th April, 2016.

#### **Regulations**

1. These regulations may be cited as the Tourism (Classification of Tourist Hotels) Regulations No. 01 of 2016 and shall come into operation with effect from 20th May 2016.

2. Every registered proprietor shall ensure at all times the registered tourist hotel complies with the minimum requirements for all categories of tourist hotels specified in the Tourism (Minimum Capacities and Facilities of Tourist Hotels) Rules No. 01 of 2016.

3. A tourist hotel registered and licensed under the Tourism (Registration and Licensing of Tourist Hotels) Regulation No. 01 of 2016 shall be classified as a star hotel by the Director General.

4. (1) There shall be appointed a Classification Committee (hereinafter referred to as the “Committee”) consisting of seven members, who shall be appointed by the Authority.

(2) One member of the Committee shall be appointed in consultation with the Tourist Hotels Associations of Sri Lanka, as the Authority may consider appropriate.

(3) The Authority shall nominate one of the members of the Committee (other than the member appointed under paragraph (2) of this regulation) to be the Chairman of the Committee.

(4) The Authority shall appoint a Secretary to the Committee (hereinafter referred to as the “Secretary”)

(5) Every member of the Committee shall, unless such member vacates office early by reason of death, resignation or removal, hold office for a period of two years from the date of appointment. Any member of the Committee, who vacates office by effluxion of time, shall be eligible for re-appointment -

(6) Any member of the Committee, who absents himself from :

(a) attending three meetings of the Committee consecutively ; or

(b) taking part in three inspections carried out under these regulations consecutively.

shall cease to be a member of the Committee.

(7) Any person appointed as a member of the Committee in succession to a person, who has ceased to be a member before the expiry of his term of office, shall, hold office for the unexpired period of the term of office of the member whom he succeeds.

(8) The members and the Secretary of the Committee shall be remunerated at such rates as may be determined by the Authority with the concurrence of the Minister in charge of the subject of Tourism.,

(9) Subject to the provisions of these regulations, the Committee may regulate the procedure in regard to its meetings of the Committee and transaction of business at such meetings.

(10) No act or proceeding of the Committee shall be deemed to be invalid by reason only of the existence of any vacancy among its members or any defect in the appointment of a member thereof.

5. (1) The Secretary shall, under the direction of the Chairman of the Committee, convene meetings of the Committee.

(2) The quorum for a meeting of the Committee shall be four members.

(3) The Chairman of the Committee shall preside at every meeting, and in the absence of the Chairman of the Committee from any meeting, the members of the Committee present at the meeting shall select from among themselves as Chairman of the Committee any member other than a member appointed under paragraph (2) of regulation 4.

(4) Any member of the Committee, who is. interested in the subject matter of any reference to the Committee, or who has been consulted in regard to that matter by or on behalf of the party interested in the reference, shall not participate in a meeting of the Committee at which that reference is to be determined.

6. (1) The Director-General shall direct a reference to the Committee to determine the appropriate star class to be allocated to that hotel.

(2) Every reference made to the Committee under this regulation shall be in writing of the full and concise statement of the subject matter of such reference

(3) Every reference shall be addressed to the Chairman of the Committee who shall transmit the same to the Secretary.

7. (1) The Committee shall fix a date, time and place for the inspection and determination of every reference made to the Committee, and shall give notice thereof in writing through the Secretary to the Committee and the party interested in such reference.

(2) The decision on any reference to be determined by the Committee, shall be by the vote of majority of the members present at a meeting, and where there is an equality of votes the Chairman of the Committee or the member presiding at the meeting as the case may be, shall in addition to his vote have a casting vote.

(3) The Secretary shall maintain a record of the proceedings of the Committee and in respect of each reference determined by the Committee.

8. (1) The Committee shall cause a notice of its determination on any reference made to it under regulation 7 to be served on the Director-General.

(2) The Director-General shall on receipt of the determination of the Committee, issue to the registered proprietor a certificate of classification in conformity with the decision, in respect of the tourist hotel which was the subject matter of the reference.

9. Every registered tourist hotel of the class specified in the Column I of Schedule I to these regulations shall have marks between the ranges specified in the corresponding entry in Column II and Column III thereof.

10. Every registered proprietor who desires to qualify as a one or two star tourist hotel shall possess the minimum requirement specified in Schedule II hereto.

11. Every registered proprietor who desires to qualify as a three, four or five star tourist hotel shall have the minimum requirement specified in Schedule III hereto.

12. (1) Every registered proprietor who desires to qualify as a star class tourist hotel of a particular category shall be given marks in such manner as is specified in Column III of Schedule IV hereto for facilities specified in the corresponding entry in Column II thereof.

(2) All Classifications in respect of star-class tourist hotels done in terms of these regulations shall be in force for a period of three years, unless otherwise determined.

(3) A star class hotel shall be reclassified at the expiry of every period of three years.

13. (1) For the purpose of arriving at a decision in respect of any reference made to the Committee, an inspection shall be carried out by not less than two members of the Committee, who may:

(a) enter, inspect and examine the tourist hotel in respect of which the reference has been made to the Committee; and

(b) sample any food or beverages served by such tourist hotel, on payment of the cost thereof;

(2) It shall be the duty of the registered proprietor or the person, who is in charge of the hotel, to provide all such facilities as may be required by the members of the Committee, in carrying out the inspection.

A star class hotel shall be reclassified at the expiry of every period of three years.

14. (1) A certificate of classification, which is issued in respect of a tourist hotel, may at any time be amended or revoked as the case may be, by the Committee, on receipt of a reference for such purpose under paragraph (2).

(2) The Director-General may, of his own motion or on representation made to him in that behalf carry out an investigation on any tourist hotel, which is issued with a certificate of classification and where he determines that the certificate needs to be either amended or revoked, he shall submit a reference to the Committee for its determination.

15. (1) A tourist hotel classified as a star-class tourist hotel shall be entitled :-

(a) if it is classified as a five-star tourist hotel, to use or display the symbol approved by the Director-General to represent a five-star tourist hotel along with its name;

(b) if it is classified as a four-star tourist hotel, to use or display the symbol approved by the Director-General to represent a four-star tourist along with its name;

(c) if it is classified as a three-star tourist hotel, to use or display the symbol approved by the Director-General to represent a three-star tourist along with its name;

(d) if it is classified as a two-star tourist hotel, to use or display the symbol approved by the Director-General to represent a two-star tourist along with its name;

(e) if it is classified as a one-star tourist hotel, to use or display the symbol approved by the Director-General to represent a one-star tourist hotel along with its name.

16. (1) The Director-General or any member of the Authority acting under the written authority of the Director-General, or any officer of the Authority acting under the written authority of the Director-General may:

- (a) with or without previous notice, enter any tourist hotel and inspect such premises for the purpose of ascertaining whether such hotel is being maintained in accordance with the provisions of these regulations;
- (b) at any time require the registered proprietor or any person in charge of a registered tourist hotel, to produce any book, notice, record, list or other document, which is in the possession, custody or control of such person or any other person on his behalf;
- (c) examine any such book, notice, record, list or other document, make copies or take extracts from such book, notice, record, list or document and require any person to explain any matter therein, and seize any such book, notice, record, list or documents as, in his opinion, may be used as evidence of the commission of any offence under the Act, or these regulations;
- (d) question, either alone or in the presence of any other person as he deems fit, with respect to any matter, which is being investigated by him, every person whom he finds on the premises of such registered tourist hotel or whom he has reasonable grounds to believe to be or to have been employed on such premises or to be in possession, custody or control of any matter referred to in this paragraph ; and
- (e) require any person referred to in sub-paragraph (d) to appear before him at a time and place fixed by him and question such person concerning any matter, which is being investigated by him.

(2) It shall be the duty of a registered proprietor or any person who is in charge of any registered tourist hotel to provide all such facilities as are required by a person or persons who are conducting any investigation or inspection under paragraph (1) to carry out such investigation or inspection without any hindrance or obstruction.

(3) Any person or persons exercising the powers conferred upon him under this regulation shall on demand produce evidence of his identity or the written authority referred to in paragraph (1).

(4) Any person, who resist or obstructs a person or persons, who is empowered to carry out an investigation or inspection under this regulation shall be guilty of an offence.

17. (1) A classified tourist hotel shall not use or display any symbol referred to in regulation 15, unless it is entitled to and authorized to do so under these regulations.

(2) A classified tourist hotel shall not use or display or cause to be used or displayed any fraudulent symbol or an imitation of such symbol, as referred to in regulation 15.

(3) A classified tourist hotel shall not use or display the words “classified tourist hotel” or a name which includes the words “star class tourist hotel” without displaying the star - class or the symbol assigned to it by the Director-General.

(4) Any tourist hotel which is not classified under these regulations shall not use or display or cause to be used or displayed the words “star class hotel” or any other word to that effect.

(5) For the purpose of this regulation, a classified tourist hotel shall be deemed to use any symbol referred to in regulation 15, if such symbol appears in or on any notice, stationary, uniform, instrument, document or on any other device by whatsoever name called, used by or in such hotel.

18. Any person aggrieved by an order, notice or determination under these regulations may within thirty days of issued of such order, notice or determination as the case may be, prefer an appeal to an Appellate Tribunal established by the Appellate Tribunals Regulations of 1982, published in Gazette Extraordinary No. 296/6 of 27th July, 1982.

19. Every person exercising the powers conferred by these regulations, shall before entering upon his duties, sign a declaration pledging himself to observe strict secrecy with regard to any fact, matter or thing which may come to his knowledge in the discharge of his duties.

20. (1) Any person who acts in contravention of any of the provision of these regulations shall be guilty of an offence.

(2) Where the Director-General is satisfied after an inquiry on evidence available, that the provisions of these regulations have been contravened by any person, he may do one or more of the following:-

- (a) warn such person in writing; or
- (b) where the person is the holder of a certificate or license, revoke, suspend or amend, as the case may be the certificate or license that has been issued or refuse to renew the license.

(3) Where any offence is committed by any servant or agent of a registered proprietor who is the holder of license granted under these regulations, such offence shall be deemed to be committed by the registered proprietor unless such proprietor establishes that such offence was committed without his knowledge or that he exercises all due diligence to prevent the commission such offence.

21. (1) The Tourist Hotel Code 1999, published in *Gazette Extraordinary* No. 1070/10 of March 11, 1999, is hereby rescinded.

(2) Notwithstanding the rescinding of the regulations referred to in paragraph (1) a certificate of classification granted under those regulations, immediately before the coming into operation of these regulations, shall be valid and effectual and shall be deemed to be a registration done, a license issued and a classification granted under these regulations and accordingly the provisions of these regulations shall apply to and in relation to such tourist hotel.

22. In this regulations unless the context otherwise requires.

“Act” means the Tourism Act, No. 38 of 2005 ;

“Authority” means the Sri Lanka Tourism Development Authority established and constituted by the Tourism Act, No. 38 of 2005;

“Director-General” means the Director-General appointed under section 10 of the Tourism Act, No. 38 of 2005; and

“tourist hotel” means an establishment or place which provides or holds itself out as providing to tourists for fee or reward sleeping accommodation with or without food and has not less than ten bedrooms.

#### SCHEDULE I

(Regulation 9)

<i>Classification of tourist hotel</i>	<i>Minimum marks</i>	<i>Maximum marks</i>
<i>Column I</i>	<i>Column II</i>	<i>Column III</i>
(a) 5 Star Hotel	4,000	5,000
(b) 4 Star Hotel	3,500	5,000
(c) 3 Star Hotel	3,000	5,000
(d) 2 Star Hotel	2,500	5,000
(e) 1 Star Hotel	2,000	5,000

SCHEDULE II

(Regulation 10)

<i>Mandatory requirements for 1 &amp; 2 star categories of tourist hotels</i>		
	<i>Column I Item</i>	<i>Column II Facilities</i>
1.	Bed Rooms	Centrally located safe deposit facilities or individual safe deposit lockers shall be available
2.	Restaurants and Bars	Suitable glass washing facilities with running hot and cold water with a mixer tap shall be available in the bar
3.	Kitchen	Where dish washers are not available, three sinks with hot & cold water with mixer taps shall be available exclusively to be used for dish washing purposes .

SCHEDULE III

(Regulation 11)

<i>Mandatory requirements for 3,4 &amp; 5 star categories of tourist hotels</i>		
<i>No.</i>	<i>Column I Item</i>	<i>Column II Facilities</i>
1.	Hotel Building	1. 5 star Hotels shall have a minimum of 30 rooms including 3 suites. The minimum area of the suite shall be not less than 65sq.m. Each suite shall consist of a bed room with attached toilet, living and dining area with a pantry.
		2. 4 star Hotels shall have a minimum of 30 rooms including 2 suites. The minimum area of the suite shall be not less than 45 sq.m. Each suite shall consist of a bed room with attached toilet, living and dining area with pantry.
		3. 3 star Hotels shall have a minimum of 30 rooms including I suite. The minimum area of the suite shall be not less than 45sq.m. Each suite shall consist of a bed room with attached toilet, living and dining area.
2.	Main Services	1. A generator capable of providing 100% back up power supply shall be available in case of failure of main power supply
		2. Adequate number of service elevator/s shall be available for hotels/ buildings with more than three floors including the ground floor.
3.	Bed Rooms	1. The main door lock shall be on a master key/card system and shall have a double locking facility from within, which shall open from out side only . with an emergency master key/card.
		2. Key less safety deposit locker of adequate size shall be provided in each bed room.

## SCHEDULE III (Contd.)

(Regulation 11)

<i>Mandatory requirements for 3,4 &amp; 5 star categories of tourist hotels</i>		
<i>No.</i>	<i>Column I Item</i>	<i>Column II Facilities</i>
4.	Restaurants and Bars	1. An additional bar maintaining comfort conditions with either cooling or heating shall be available
		2. A glass washing machine shall be available in the bar.
		3. An ice cube-making machine connected to a sterilized potable water supply shall be available in the bar.
		4. A room service facility with a wide variety of food and beverage shall be available
		5. Five and Four star hotels shall have a coffee shop or in-room dining facility operating for 24 hours.
5.	Kitchen	1. Kitchen floor shall be of impervious materials conducive for easy cleaning and shall not be slippery
		2. There shall be a dish washing machine with a pre-wash sink and dish washer crates for all items of cutlery, crockery and glassware.
		3. There shall be a separate Glass Washing machine.
		4. All cooking appliances shall be provided with an Exhaust Hood Canopy equipped with Grease Filters to extract hot air and odours effectively.
		5. The pot wash shall be separated and shall have a stainless steel sink with hot and cold water through a mixer tap
6.	Stores	Meat, sea food, processed food and dairy products shall be stored separately at correct temperatures suitable for the intended period of storage
7.	Sanitary Requirements	Wet garbage shall be stored in a temperature controlled space, with finishes conducive for easy cleaning until disposed of.
		Kitchen wastewater shall be directed to a Grease Trap where accumulated grease is removed and disposed of regularly
8.	Facilities for Drivers	Separate adequate toilet facilities shall be available for the use of drivers.
9.	Staff	There shall be two or more staff speaking foreign languages other than English, if necessary. The front office staff including the Guest Relations Officers shall have a good knowledge of English.



SCHEDULE IV

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
1.	Location	1. The Approach, entrance, vicinity and the environment shall be fit a deluxe hotel	75
		2. The number of guest rooms per hectare and the number of floors shall be in keeping with the purpose of the hotel. High density area ; 120 rooms per hectare, Medium density area - 60 rooms per hectare, Low density area - 24 rooms per hectare	50
		3. Landscaped and green area shall enhance the general ambience of the property.	50
		4. There shall also be adequate areas, other than designated activity garden / deck area, for relaxation of guests in keeping with the purpose of the hotel with adequate quantities of good quality furniture.	25
		5. Desired background sound level at the location shall be less than 50 dBA during the day and 45 dBA at night	25
		6. There shall be adequate well laid out and lit car parks integrated in to the landscaping plan of the hotel.	25
		7. Valet parking and efficient car call-up system for chauffeur driven cars shall be available.	25
2.	Hotel Building	1. The design of the building, the architectural features and the type of construction shall project the distinctive qualities of a deluxe hotel in the tropics.	50
		2. Special care shall be taken to ensure that a Sri Lankan architectural character is maintained to suit the environment and the location	25
		3. The main entrance shall be fit a delux hotel	25
3.	Common Areas	1. Reception area shall consist of reception proper, concierge and cashiering, in combination or separately, with a counter or equivalent facility in keeping with the concept of the hotel. The reception shall be adequately staffed. The staff shall be well trained to assist guests and answer their enquiries. All major currency conversion rates shall be prominently displayed at the reception area. The processing of bills shall be fast and efficient facilitating an efficient check out.	50

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		2. The public areas may be air-conditioned or ventilated to make the room comfortable to the users. In the case of an air-conditioned area the temperature' shall be adjustable to comfortable levels (as per international standards). In an establishment where the average monthly temperature for any month falls below 20°C a thermostat controlled heating system capable of adjusting the room temperature to a comfortable level shall be available in public rooms.	50
4.	Lobby	1. The Lobby/Lounge shall portray the image and the ambience in relation to the location and the environment of the hotel. It shall be well appointed and air-conditioned, centrally heated or well ventilated with adequate seating facilities commensurate with the size of the hotel. The furniture, fittings, finishes and decorations in the Lobby / Lounge shall be of good quality. The seating shall be functional, comfortable and of very high quality.	150
		2. The Lobby of the hotel shall celebrate the sense of arrival at a special place and be in keeping with a deluxe hotel.	50
		3. The Lobby Lounge shall have a combination of direct and indirect lighting with a pleasant level of general illumination. Activity based lighting for reading and writing shall be made available in the lobby area.	25
		4. There shall be sufficient telephone facilities in public areas including at least one enclosed area in the lobby providing adequate privacy.	25
		5. The guest corridors shall be sufficiently wide, airy, safe and adequately lit and shall be consistent with the standards of the hotel.	25
	Guest Services	6. The following services shall be available for guests befitting a deluxe hotel. Postal service, E-mail and Fax facility, Left Luggage service, provision for storage of lost & found items with a register, Foreign currency exchange service. Acceptance of major credit cards, Travel Desk, Taxi and Rent - a Car service, Shops for sale of books, news papers, post cards, stamps, Stationery, tobacco, photographic accessories, sundry items and non-prescription. drugs.	75

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
5.	Bed Rooms	1. The size of a single bed shall be minimum of 1.07 m x 2m and double bed shall be minimum of 1.83 m x 2m. Mattresses shall be comfortable and very high quality acceptable for a deluxe hotel. Thickness of mattresses shall be minimum of 150 mm.	60
		2. Internationally accepted comfort range of temperature shall be maintained in all guest rooms. In the case of air-conditioned bed rooms there shall be a variable speed air Circulation arrangement and a thermostat control which will facilitate the adjustment of temperatures in the range of $24^{\circ}\text{C} \pm 4^{\circ}\text{C}$ . There shall be provision to allow sufficient fresh air in to the room. In the case of establishments where the average temperature in any month falls below $20^{\circ}\text{C}$ , Thermostat controlled heating system capable of adjusting the room temperature up to $24^{\circ}\text{C}$ shall be available. Refer ASHRAE Guidelines	50
		3. The following items suitable for, a deluxe hotel shall be available: (1 ).02 arm chairs with a coffee table (2).Dressing table with Mirror and stool/chair; (3).Writing table with chair (4).Television with international programs, VCD, DVD and CD players. (5).Radio or music system preferably through the television. (6).In-room telephone with International Direct Dialing (IDD) Facilities (7).Service Directory ,Room Service Menu and Mini-bar tariff.(8).Adequate supply of stationery, local and air mail envelopes and a pen.(9). wardrobe or wall cupboard with adequate racks and hangers.(10).Facilities to connect computers and other IT appliances. (II). Well stocked silent Mini bar with adequate quantity of appropriate glassware.(12).Cot on request (13). Protection against mosquitoes or a mosquito net	125
		4. The floor wall and ceiling finishes shall be of a very high quality	75
		5. Every bed room shall have following electrical lighting. (1 ).General room illumination controlled by a master switch located close to the entrance door.(2).All lighting shall have the facility of being controlled from the bedside in addition to the individual controls. (3) Adjustable lamps of good quality and sufficient illumination for reading in the arm chair and in bed.(4).On the face lighting over	125

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		mirrors (5). Door activated lighting for the wardrobes. Bed room lighting levels recommended to be maintained are as follows. Bed room general lighting 75 Lux. Reading (Bedside and arm chair) 300 Lux. On the face lighting at the mirrors 300 Lux.	
		6. A door viewer and a safety latch	30
		7. Adequate supply of very good quality bed linen with a high percentage of cotton, blankets and mattress covers	50
		8. Pillows of very good quality shall be available	25
		9. A selection of pillows including anti-allergy pillow shall be available on request.	25
		10. Adequate supply of good quality and absorbent bath, face and hand towels, preferably white, and bath mats shall be available. Bed linen and towels shall be changed daily or as requested by guests. Bath robes and slippers of good quality shall be available.	50
		11. A full length mirror	20
6.	Bathrooms	1. Bathroom shall have very high quality floor, wall and ceiling finishes.	15
		2. Bathroom fittings and fixtures shall be of very high quality	25
		3. The following items suitable for a deluxe hotel shall be available. (1). Wash basin with a large vanity counter and / or shelves with adequate space. (2).Water closet (W.C) (3).Bathtub (of minimum length 160cm) with non slip surface or a non slip device, grab bar and a hand shower.(4).wall mounted shower with adequate water pressure. (5).Hand bidet ,hair dryer , magnifying mirror with light, universal shaver socket, toilet paper holders, towel rail and covered sanitary bin.(6).Telephone (7).Adequate paper tissues (8).Toiletries consisting of soap, shampoo, conditioner, gel; body lotion, shaving kit, shower cap, shoe shine and a retractable clothes line.	25

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		4. Where shower cubicles are provided the area shall not be less than 1.14 sq.m. with the smaller dimension not less than 1.0 m. Shower cubicle is recommended to be of tempered or laminated glass. The floor shall be of an anti-slip finish. A grab bar to be provided.	25
		5. It is recommended that water saving type fixtures and fittings are used in all bathrooms.	25
		6. Hot and cold water with suitable mixing facility shall be available for the bath, shower and the wash basin	25
		7. Bathrooms shall have good level of general illumination and effective on-the-face lighting for the mirrors. The lighting levels to be as follows: bathroom (general lighting) 120 Lux, On-the-face lighting (mirror) 300 Lux. The light switch shall be located outside the bathroom.	25
7.	House Keeping	1. A mechanized laundry with dry cleaning facilities capable of processing all hotel linen and guest linen or a facility to handle such items using suitable outside sources shall be available	25
		2. A well ventilated linen room with adequate storage facilities for new linen and linen in use shall be available	15
8.	Restaurant and Bar	1. A coffee shop operating 24 hours	50
		2. In room dining facilities shall be available 24 hours	25
		3. The walls, floors ceiling, doors, windows, woodwork, and fittings in restaurants be very well maintained.	50
		4. The furniture shall be comfortable, functional and of superior quality and maintained in good condition.	25
		5. The furnishing and decor shall complement the theme of the hotel and / or the restaurant	25
		6. The dining area floor finish shall be of very high standard and shall be maintained in a very good condition.	25

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		7. The serviettes shall be of absorbent quality cloth and shall be of minimum size of 48 x 48 cm.	25
		8. Very high quality Cutlery, crockery, glassware, other tableware and table linen in adequate quantities.	50
		9. The staff shall demonstrate outstanding levels of product knowledge and service skills to provide quick and efficient service.	50
		10. Food shall be served at proper temperature. All food & Beverage display units shall maintain proper temperatures.	25
		11. The menu and Beverage /wine list presentation shall reflect a great attention to detail including style and comfort.	25
		12. A specialty restaurant	25
		13. A bar for use by the hotel guests exclusively	25
		14. There shall be a separate service / dispense bar	25
		15. The bar / bars shall be well equipped and furnished with exceptionally good quality counters, tables, chairs and fittings. There shall be soft lighting. Adequate lighting shall be available for work behind the counter.	25
		16. In the absence of an ice cube making machine inside the bar, a hygienic facility for storage of ice cubes shall be available	25
		17. The bar/bars shall have all types of glassware necessary for serving wines, spirits and all other beverages	50
		18. Sufficient quantities and a wide variety of local and foreign brands of wines, spirits and liquors	50
		19. Soft background music in the dining/bar area	25
9.	Kitchen	1. The main kitchen / satellite kitchens shall be strategically located in close proximity to the food outlets	50

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		2. The kitchen shall be professionally designed and equipped to ensure efficient operation. Areas of different activities shall be physically separated	50
		3. Floors, ceilings, doors, windows, window panes and woodwork shall be very clean and in good condition. All kitchen walls shall be conducive for easy cleaning and be of impervious finish u to 150 cm. from the floor.	25
		4. Lighting shall be of adequate luminance. Lamps shall be provided with shatter proof, easily cleanable diffusers.	25
		5. Kitchen tabletops and shelves shall be of stainless steel or other impervious non metallic materials and maintained in good condition.	25
		6. Kitchen utensils shall be of very good quality, clean and adequate.	50
		7. The kitchen shall consist of a range of equipment required for production of international cuisine.	50
		8. All cooked and uncooked food shall be covered and well protected at all times.	50
		9. Adequate hot and cold food holding units with proper temperature control.	75
		10. Kitchen area shall be free of insects and rodents. Fly screens shall be fitted to all kitchen doors and windows as necessary. Electrical insectocuters shall be provided at strategic locations.	25
		11. All cupboards for food storage inside the kitchen shall be made of stainless steel or non metallic impervious material.	50
		12. Adequate stainless steel racks shall be provided for storage.	25
		13. Adequate racks of stainless steel or other suitable materials shall be available for storage of cutlery, crockery and glassware.	25

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		14. high degree of cleanliness and hygiene conforming to accepted international standards shall be maintained in the preparation, display and service of food.	50
		15. All drain outlets in and around the kitchen shall be trapped and connected to a sealed pipe network leading to a fat separator. Adequate and proper cleaning facilities shall be available for the wastewater piping network. No open drains shall be present inside the kitchen.	75
		16. A Good quality cleanable strainer shall be available for all kitchen sinks.	25
		17. Adequate walk-In and Reach-In cold rooms, deep freezers and thawing facilities shall be provided conforming to accepted international standards.	50
		18. There shall be sufficient number foot operated industrial type waste bins with covers. Each different type of waste material shall have a seperate bin.	50
		19. Separate hand wash sinks with hot and cold water, soap and disposable towels or hand dryers shall be available for each area of activity inside the kitchen.	50
10.	Sanitary Requirements	1. Quality, functionality and maintenance of all sanitary installations shall be of a very high standard. Strict standards shall be imposed governing sanitation, cleanliness and hygiene through out the hotel building and it's environs.	50
		2. Functional arrangements shall be made for separation of fat from kitchen waste water. Separated kitchen wastewater, sewage, and laundry wastewater shall be treated in accordance with the environmental regulations	25
		3. A separate dedicated receiving area with adequate facilities having finishes conducive for easy cleaning and maintaining a high standard of hygiene shall be available. Area for cleaning of fish, meat, fruits and vegetables shall be available to maintain high hygienic standards.	25



SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		4. Effective insect and vermin protection shall be carried out throughout the building and the immediate environment. Every possible steps shall be taken to keep the surrounding clean and prevent breeding of flies and mosquitoes,	25
		5. Detergents and chemicals used shall be Bio-degradable	25
11.	Safety and Security	1. When designing the Hotel, internationally accepted safety standards shall be adhered to.	50
		2. Hotel shall ensure adequate safety and security of the guests and their belongings. Necessary surveillance measures to achieve the above shall be in place.	25
		3. All gas and electrical equipment and installations shall be safe and conform to safe regulations	25
		4. Wheel chairs and stretchers shall be available for use in case of an emergency	25
12.	Entertainment Recreational and other facilities	1. The hotel shall provide entertainment for guests with a strong emphasis on traditional Sri Lankan culture, dance and music	25
		2. There shall be sufficient recreational activities and facilities in keeping with the concept/purpose of the hotel.  Activities and facilities may be selected from the following: Animation programmes, Aerobics, Yoga, Horse Riding, Meditation, Bird Watching, Nature Trails, Water Sports, Tennis, Squash, Volleyball, Table Tennis, Games for Children, Billiard, Snooker, Spa, Massage, Ayurvedic / Medic Spa, Jacuzzi, Gymnasium, Bikes for hire, Library, Night Club / Disco. Note: Obtaining more than the 50% of the item listed will qualify for full marks	50
		3. A properly designed, comfortable conference room with modern equipment and facilities shall be available.	50

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		4. Banqueting area shall have a separate entrance and adequate independent casual toilets. Banqueting facilities shall be in keeping with the standards of the Hotel.	75
		5. It is desirable to have a separate banquet kitchen with wash-up and storage facilities adjacent to the banquet area.	75
		6. Well -equipped adequately staffed business centre to meet the needs of the guests shall be available.	50
13.	Swimming Pools	1. A swimming pool of reasonable size in proportion to the size of the hotel shall be available. The concept, design and construction of the pool shall conform to internationally accepted safety standards. Features that could pose a safety threat to the pool users shall not be built in to the pool. Adequate safety equipment shall be available at easily visible and accessible locations.	50
		2. Suitably qualified life guards shall be available when the swimming pool is in operation	25
		3. Adequate number of showers shall be located in the vicinity of . the pool. Separate pool changing rooms for males and females with shower enclosures having running hot and cold water shall be available. An adequate number of lockers shall be available	25
		4. The swimming pool shall be adequately lit	25
		5. Adequate pool deck furniture of excellent quality shall be available.	25
		6. Food and beverage service shall be available at the pool side. High quality unbreakable glassware shall be used in the pool service.	25
14.	Facilities for differently abled guests	1. Minimum of 01 Guest Room with adequate facilities, preferably on the ground floor, shall be available for differently abled guests	50
15.	Public Toilets	1. There shall be adequate toilet facilities for ladies and gents separately in keeping with the capacity and activities of the hotel and shall be conveniently located	25

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		2. Installations and equipment shall include WC with hand bidet, toilet paper holder, wash basin with running hot and cold water with a mixer tap, vanity counter space, mirrors, soap or soap dispenser, disposable towels or a hot air hand dryer and covered sani bins and sanitary bags waste bins etc.	25
		3. Toilet shall be adequately ventilated	25
16.	Staff	1. The General Manager shall have a degree or diploma in Hospitality /Catering Management from a recognized Hotel School/Institute or 'sufficient experience in the field of hospitality management.	25
		2. All Departmental Heads shall be professionally qualified and experienced.	25
		3. The executives / management staff shall either be professionally qualified or shall have a minimum of 5 years experience in a recognized hotel. At least 75% of the permanent staff shall have some certification in their related field. The certification shall be approved by the Department of Tertiary and Vocational Training of the relevant Ministry.	50
		4. The hotel shall be adequately staffed and all operational/ service staff shall possess a very high standard of service skills to provide satisfactory guest service. Regular in-house training programs and on-the-job training shall be carried out to develop service skills.	25
		5. The hotel shall arrange for training classes in English and other Foreign Languages for the staff.	50
		6. All staff shall be in uniformed attire. The uniforms shall be formal or in keeping with the theme of the hotel.	25
		7. Where staff accommodation is provided the building shall be well ventilated and have maximum possible natural lighting. The floor shall be made of impervious materials to facilitate cleaning. The floor area provided per person shall be not less than 5 sq. m. Comfortable beds with suitable mattresses shall be provided. The walls shall be smooth and treated with a finish conducive for cleaning.	75

## SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		8. For non-resident staff locker space of 0.13 cu.m. per person shall be provided where the height of the locker shall be not less than 90 cm. and the depth not less than 45 cm. The lockers shall be well ventilated.	50
		9. For resident staff locker space of 0.3 cu.m. per person shall be provided where the height of the locker shall be not less than 90 cm. and the depth not less than 45 cm. The lockers shall be well ventilated.	50
		10. Adequate good quality comfortable furniture shall be available in staff locker rooms / dormitories for the convenience of the staff.	10
		11. An appropriate area. not visible to guests, shall be provided for washing and drying of the clothes of the resident staff.	25
		12. Where staff meals are provided and prepared separately, an adequately equipped and clean staff kitchen shall be available. Running hot and cold water with mixing facilities shall be available for washing of kitchen utensils. The staff kitchen shall be free of insects and rodents. .	75
		13. The hotel shall ensure that the facilities provided for the staff is properly used and well maintained.	50
		14. Where staff meals are provided Staff dining room shall be well ventilated. The floor shall be made of impervious material. Walls shall be covered up to 150 cm with impervious material to facilitate cleaning. The dining area shall be such that a minimum of 1.5 sq.m. is available per person. The total number of covers shall be adequate to serve 30% of the total staff in one sitting. The table shall be covered with impervious material conducive for easy cleaning. At least two sinks with running hot and cold water with mixing facilities for washing of cutlery, crockery and glassware. Adequate number of hand washing stations with soap and hand drying facilities shall be available.	75
		15. All new recruits shall. be provided with training in acclimatization to a hotel environment, personal grooming, hygiene and the use of common amenities. A written general instructions, guidelines, and code of conduct shall be issued to all staff.	25

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		16. The hotel shall conduct regular training for the staff. The training shall be conducted by suitably qualified trainers and training records shall be maintained.	50
		17. Adequate recreational facilities, including television for staff, shall be made available. Minimum of 02 Indoor Games and facilities for 02 Outdoor Games shall be available. A separate Library or a Reading Room with news papers and adequate reading material shall be made available. A separate in-house computer room for the use of the staff is recommended. A staff shop shall be made available for the convenience of the staff.	50
		18. The hotel shall have a fully equipped training department operating under a qualified trainer. A separate room for training with adequate facilities shall be available. All hotels shall have a separate training manual from which training shall be conducted. Training manual shall have different curriculum for different levels of staff. The training manager shall compile a training schedule and indicate training conducted for the period with names of participants. Periodic assessment of staff shall be carried out accordingly.	50
17.	Environment, Community and Sustainability	1. The hotel shall be equipped with a Sewer & Wastewater treatment plant/system approved by the CEA and maintained in good working order. The treated effluent shall be recycled to effectively reduce the consumption of water. Performance test certificates for the plant shall be available.	25
		2. Solar Hot water heating shall be used for the production of Hot water requirements.	25
		3. Effective, energy efficient methods of hot water production such as air to water heat exchangers from air cooled AC systems, heat pump systems etc. shall be used.	25
		4. Alternative, renewable fuel and / or energy shall be used. (eg. Grilicidia as a fuel, Wind Energy, Solar energy for electricity generation etc.	25

SCHEDULE IV (Contd.)

(Regulation 12)

<i>Non mandatory requirements for any star categories of tourist hotels</i>			
<i>No.</i>	<i>Column I Area</i>	<i>Column II Facilities</i>	<i>Column III Marks</i>
		5. Effective energy conservation measures shall be implemented. The effectiveness of the measures shall be supported with historical data.	25
		6. A system shall be in place for recycling of waste. Food waste shall be composted or used as animal fodder. Solid waste shall be separated for re-cycling. A very clear arrangement shall be in place for disposing of separated solid waste for re-cycling.	25
		7. The use of plastic, polythene and PVC shall be discouraged. A policy to minimize the use of the above items shall be in place. The use of re-cyclable containers such as glass bottles, glass jars etc. shall be encouraged.	25
		8. A system shall be in place to pass on benefits to the neighborhood and the area. Policy on recruitment and procurement shall have built in mechanisms to make the above process meaningful.	25
		<b>Total marks</b>	<b>5,000</b>

05-74/2

L.D.B. 9/2005.

**THE TOURISM ACT, No. 38 OF 2005**

REGULATIONS made by the Minister of Tourism Development and Christian Religious Affairs under section 69 of the Tourism Act, No. 38 of 2005 read with section 49 of the aforesaid Act on the advice of the of the Sri Lanka Tourism Development Authority.

\

JOHN ANTHONY EMMANUEL AMARATUNGA,  
Minister of Tourism Development and  
Christian Religious Affairs

Colombo,  
19th April, 2016.

### Regulations

1. These regulations may be cited as the Tourism (Code of Conduct of Tourist Hotels) Regulations No. 02 of 2016 and shall come into operation with effect from 20th May 2016.

2. A registered proprietor of a registered, tourist hotel shall maintain a Register containing the following particulars with regard to every tourist who arrives at such hotel.

- (a) the name, date and time of arrival;
- (b) passport number;
- (c) nationality;
- (d) permanent address;
- (e) next address to which mail should be forwarded;
- (f) room number;
- (g) date and time of departure;
- (h) amount of the bill and the currency in which payment was made;
- (i) signature; and
- (j) any other information that the Director-General may, from time to time require to be included therein.

3. (1) The mode and manner of payment by tourists for the services and facilities provided by a registered tourist hotel, and the mode and manner of the acceptance of such payment shall be in accordance with such directions as may be issued from time to time in that behalf by the Director-General.

(2) Any direction issued by the Director-General under paragraph (1) of these regulations shall be in conformity with the provisions, if any, of the Monetary law Act (Chapter 420) and the Exchange Control Act (Chapter 423) or of any regulations or orders made thereunder.

(3) Where any person contravenes the provisions of these regulations, the registered proprietor of the hotel and the person who actually demanded or accepted any payment in contravention of the provisions of this regulation, shall be each guilty of an offence.

4. (1) The registered proprietor of a registered tourist hotel shall carry on such business, in a manner that-

- (a) does not contravene any laws in relating to the protection of the environment ;
- (b) does not contradict or contravene accepted moral norms prevailing in Sri Lankan society and the cultural heritage of Sri Lanka; and
- (c) accords to its customers, service in keeping with the highest standards and facilities in accordance with the requirements specified in the Certificate of Registration, the License, and the Certificate of Classification granted in respect of such hotel

(2) A registered proprietor who contravenes the provisions of paragraph (1) shall be guilty of an offence.

(3) The Director-General may of his own motion or on a complaint received by him, carry out an inquiry or on the spot investigation with or without prior notice to the registered proprietor, where the provisions of this regulations are alleged to have been contravened.

5. (1) Where any tourist hotel has not obtained a registration under these regulations, it shall be an offence to-

- (a) use or display the words “registered tourist hotel” or any name or designation which include the words “Tourist Hotel”, either alone or in combination with any other words or letters; or
- (b) use any name, title addition or description implying that it is a tourist hotel or a registered tourist hotel

(2) For the purpose of these regulations a tourist hotel which is a registered tourist hotel, shall be entitled to use the words “tourist hotel” or “registered tourist hotel” in any Symbol or on any handbill, placard, poster, notice, sign, badge or any other instrument, utilized by such hotel for the purpose of advertisement.

(3) Any person who contravenes the provision of this regulation shall be guilty of an offence.

05-74/3

---

L.D.B. 9/2005

### **THE TOURISM ACT, No. 38 OF 2005**

REGULATIONS made by the Minister of Tourism Development and Christian Religious Affairs under section 69 of the Tourism Act, No. 38 of 2005 read with subsection (3) and (6) of section 48 of the aforesaid Act, on the recommendation of the Sri Lanka Tourism Development Authority.

JOHN ANTHONY EMMANUEL AMARATUNGA,  
Minister of Tourism Development and  
Christian Religious Affairs

Colombo,  
19th April, 2016.

### **Regulations**

1. These regulations may be cited as the Tourism (Registration and Licensing of Tourist Hotels) Regulations No. 03 of 2016 and shall come into operation with effect from 20th May 2016.

2. (1) No person shall use any premises for the purpose of carrying on the business of a tourist hotel, unless such premises and the person who seeks to carry on the business of a tourist hotel thereon, are registered respectively as, a registered tourist hotel and a registered proprietor, in accordance with these regulations.

(2) Every registered proprietor shall, for the purpose of carrying on the business of a tourist hotel, within sixty days of the registration under paragraph (1), apply for and obtain a license from the Director-General of the Sri Lanka Tourism Development Authority, in accordance with these regulations.



## PART I

### REGISTRATION OF TOURIST HOTELS

3(1). Every applications for registration under Regulation 2, shall be :-

- (a) made to the Director-General of the Sri Lanka Tourism Development Authority (hereinafter referred to the as “Director-General”) substantially in the Form provided for that purpose;
- (b) signed by the person who seeks to carry on the business of a tourist hotel at such premises; and
- (c) be accompanied by such fees as are payable in terms of the Order made under subsection (5) of section 48 of the Tourism Act, No 38 of 2005

(2) The Director-General may request for further information or documents to be furnished, including any clarification that he may consider to be necessary for the purpose of deciding on the application.

4. The Director-General or any officer authorized in writing by him may at any time during business hours enter with or without previous notice, the premises intended to be registered as a tourist hotel, to which the relevant application applies, in order to ascertain whether such tourist hotel complies with the minimum requirements for all categories of tourist hotels specified in the Tourism (Minimum Capacities and Facilities of Tourist Hotels) Rules No. 01 of 2016

5. (1) On receipt of an application and on being satisfied that the applicant possesses the above requirements, the Director-General may -

- (a) register the premises as a tourist hotel and the applicant as a registered proprietor; and
- (b) issue to the applicant a Certificate of Registration in such Form as shall be provided for the purpose, containing such terms and conditions as may be determined by the Director-General.

(2) An application found to contain false, misleading or incorrect information or particulars shall be rejected.

(3) Where an application for the issuance of a Certificate of Registration, has been refused, the reasons for such refusal shall be recorded by the Director-General. It shall be the duty of the Director-General to inform the person making such application, by a written communication sent under registered post to the address appearing in the application, of the reasons for such refusal.

(4) Before making a decision under paragraph (3) of this regulation, the Director-General shall afford to the applicant an opportunity of being heard, either in person or by a representative authorized by the Director-General in writing in that behalf.

6. (1) The Director-General shall open and maintain a register to be called the ‘Register of Tourist Hotels’ which shall contain, such particulars and be maintained in such Form as may be determined by him, in which particulars relating to the registration of tourist hotels and of registered proprietors shall be entered in.

(2) Every entry made in the register under this regulation may be referred to as a ‘registration entry’.

7. (1) The Director-General may, either of his own motion or on representations made to him in that behalf by the registered proprietor of a registered tourist hotel, and, after affording such registered proprietor an opportunity of being heard, amend, vary, modify or rescind any term or condition attached to the Certificate of Registration or include any new term or condition thereto.

(2) Where the particulars in any registration entry are amended or revised by the Director-General under paragraph (1) above, he may by written notice require the registered proprietor to return the Certificate of Registration to

enable him to make the necessary amendments in that Certificate. It shall be the duty of the registered proprietor to comply with that requirement within the period specified therein.

8. (1) A Certificate of Registration issued under regulation 5 may be suspended or revoked by the Director-General, where-

- (a) the registered proprietor has been charged for the commission of an offence under provisions of the Tourism Act, No 38 of 2005 or Tourist Development Act, No. 14 of 1968 or any regulations or rules made under those Acts;
- (b) the registered proprietor has contravened any provisions of the Tourism Act, No 38 of 2005 or Tourist Development Act, No. 14 of 1968 or any regulations or rules made under those Acts and the severity of such contravention does not warrant a cancellation of the Certificate of Registration; or
- (c) where any premises registered as a tourist hotel is used for any purpose other than for the purpose of carrying on the business of a tourist hotel.

(2) Where a Certificate of Registration is suspended under this regulation, the registered proprietor shall be entitled to a *pro rata* refund of the fee paid by him for the issue of the Certificate of Registration.

9. Notwithstanding the provision contained in the preceding provisions of these regulations, the Director-General may of his own motion, direct the proprietor of any premises to register such premises as a tourist hotel under these regulations.

10. It shall be the duty of the registered proprietor of a registered tourist hotel to cause the Certificate of Registration issued in respect of such hotel to be displayed in a conspicuous place within the hotel.

## PART II

### LICENSING OF REGISTERED TOURIST HOTELS

11 (1) Every application for a license under paragraph (2) of regulation 2 of these regulations in respect of the issue of a licence to a registered tourist hotel shall be-

- (a) made to the Director-General in such form as may be provided for such purpose by the Director-General;
- (b) accompanied by the relevant licensing fee as specified in the Order made under subsection (5) of section 48 of the Tourism Act, No 38 of 2005.
- (c) be signed by the registered proprietor of that hotel.

(2) The Director-General may direct the applicant to furnish such further information, documents or clarifications pertaining to the application within such period as may be specified, for issuance of license.

12. (1) The Director-General may, on being satisfied issue a license in respect of such registered tourist hotel.

(2) A license issued under paragraph (1) above -

- (a) may be issued subject to such terms and conditions as specified in the license, which the Director-General may deem appropriate for securing due compliance with provisions of these regulations;
- (b) shall come into force on the date specified therein ; and
- (c) shall, unless it is earlier cancelled or revoked by the Director-General, remain in force for a period of one year from the date specified in the license.

13. (1) The Director-General may refuse to issue a license under regulation 12, where the applicant:

- (a) has failed to register such premises and the person who seeks to carry on the business of a tourist hotel thereon respectively as a registered tourist hotel and a registered proprietor under regulation 2 of these regulations;
- (b) has failed to comply with any terms and conditions specified in the Certificate of Registration issued under regulation 5 of these regulations;
- (c) has during the year, immediately preceding the year in respect of which the application is being made, been convicted of any offence by reason of a contravention of any of the provisions of the Tourism Act, No 38 of 2005 or Tourist Development Act, No. 14 of 1968 or any regulations or rules made under those Acts; or
- (d) has failed to comply with the requirements specified in regulation 12 of these regulations.

14. (1) The Director-General may by order revoke or suspend a license issued in respect of a registered tourist hotel under regulation 12 of these regulations -

- (a) where the registered proprietor is convicted of an offence, by reason of a contravention of any of the provisions of the Tourism Act, No. 38 of 2005 or Tourist Development Act, No. 14 of 1968 or any regulations or rules made under those Acts;
- (b) where the registered proprietor has contravened or has failed to comply with any terms or conditions specified in the license; or
- (c) non compliance of price regulation made under section 53 of the Tourism Act, No. 38 of 2005.

(2) Where an application for the issuance of a license, has been refused, the reasons for such refusal shall be recorded by the-Director-General. It shall be the duty of the Director-General to inform the person making such application, by a written communication sent under registered post to the address appearing in the application, of the reasons for such refusal.

15. The Director-General may, either of his own motion or on representation made to him in that behalf by any registered proprietor, who holds a license, amend, modify or rescind any term or conditions attached to the license, or attach any new terms or conditions thereto, after giving such registered proprietor an opportunity of being heard.

16. Every registered proprietor who applies for duplicate of the Certificate of Registration or license shall pay charges specified in the Schedule hereto.

### PART III

#### GENERAL

17. The Director General shall by a notification published in the Gazette

- (a) the name of the tourist hotels which are registered and licensed; and
- (b) the names of tourist hotels of which the registration of license has been cancelled under the provisions of these regulation to be published

18. (1) Where the registration of any registered tourist hotel is revoked under regulation 5, the license issued in respect of that hotel under regulation 12 shall be deemed for all purposes to have ceased to be in force.

(2) Where the registration of any registered tourist hotel is suspended under these regulations, the license issued in respect of that hotel under these regulations shall cease to be in force during the period of such suspension.

19. (1) Before making an order suspending or revoking a registration under these regulations or of a license under these regulations, the Director-General shall upon a notice issued to the registered proprietor, hold an inquiry so as to give the registered proprietor an opportunity of being heard either in person or by a representative authorized by such proprietor in writing in that behalf.

(2) No order suspending or revoking registration or a license shall be made unless the registered proprietor of such tourist hotel is informed in writing by the Director-General that an order of suspension or revocation shall be made upon the expiry of the period specified in such notice, if measures as are specified in such notice are not taken by the registered proprietor before the expiry of the period

20. Any person aggrieved by a decision refusing the issue Certificate of Registration or refusing the issue or renewal as the case may be, of a license or the suspension or cancellation of a Certificate of Registration or license issued, may, within thirty days of the date of receipt of the written communication informing such person, of the refusal or the suspension or cancellation, as the case may be, prefer an appeal to an Appellate Tribunal established by the Appellate Tribunals Regulations of 1982, published in Gazette No. 296/6 of 27th July, 1982.

#### Schedule

(Regulation 16)

<i>Fees Payable for issue of Duplicates</i>	
<i>Category</i>	<i>Fee in Rs.</i>
Registration Certificate	5,000
License	5,000

05-74/4

L.D.B. 9/2005.

#### THE TOURISM ACT, No. 38 OF 2005

RULES made by the Sri Lanka Tourism Development Authority under section 62 of the Tourism Act, No. 38 of 2005 read with subsection (8) of section 48 of the aforesaid Act, and approved by Minister of Tourism Development and Christian Religious Affairs.

Sri Lanka Tourism Development Authority,  
(Signed for and on behalf of the Sri Lanka  
Tourism Development Authority)

Colombo,  
19th April, 2016.

#### Rules

1. These Rules may be cited as Tourism (Minimum Capacity and Facilities of Tourist Hotels) Rules No. 01 of 2016 and shall come into operation with effect from 20th May 2016.

2. Every person who desires to carry on the business of a tourist hotel shall ensure that such tourist hotel shall be equipped in accordance with such minimum capacities and facilities as are specified in Column II of the Schedule hereto, with reference to each identified area of such tourist-hotel as is specified in the corresponding entry in Column I of such Schedule.

# SCHEDULE

(Rule 2)

## MINIMUM REQUIREMENTS FOR ALL CATEGORIES OF TOURIST HOTELS

No.	<i>COLUMN I</i> <i>Identified area</i>	<i>COLUMN II</i> <i>Minimum Capacities and Facilities</i>
1.	Hotel Building	1. The hotel shall have a minimum of 10 bed rooms with attached bathrooms. 2. The hotel shall have a separate service entrance.
2.	Main Services	1. There should be adequate supply of good quality water. 2. Water used for all guest purposes and human consumption shall conform to government of Sri Lanka standards for Potable Water. 3. Hotel or building with more than three floors including the ground floor shall have a guest elevator/s adequate to meet the requirements of the guests.
3.	Bed Rooms	The size of the bed room (excluding attached balcony and toilet shall be as follows- 1. For five, four and three star categories - minimum of 22.0sq.m. 2. For two and one star categories - minimum of 17 .0sq.m. 3. The width of the room shall not be less than 3.0 m. (excluding attached balcony and toilet).
4.	Door lock	The main entrance door of the bed room shall lock automatically, when pulled shut.
5.	Emergency exits	A plan of the building indicating the emergency exit path shall be prominently displayed on the inner surface of the entrance door.
6.	Bathrooms	1. Every bathroom should be at least 3.7 sq.m. in area. 2. Natural or mechanical means shall be place to remove stale air effectively from bathrooms.
7.	House Keeping	1. Adequate number of spacious house keeping pantries with running hot and cold water shall be provided for smooth and efficient guest service. 2. Hotels having space restrictions to provide these facilities must make alternate arrangements in close proximity to the bed rooms to carry out the relevant functions.
8.	Restaurants and Bars	Restaurant facility for resident guests shall be available
9.	Menu	The should be an <i>A-la carte</i> menu

SCHEDULE (Contd.)

(Rule 2)

MINIMUM REQUIREMENTS FOR ALL CATEGORIES OF TOURIST HOTELS

<i>No.</i>	<i>COLUMN I</i> <i>Identified area</i>	<i>COLUMN II</i> <i>Minimum Capacities and Facilities</i>
10.	Refrigeration	Adequate refrigeration facilities shall be available in the bar
11.	Kitchen	<ol style="list-style-type: none"> <li>1. There shall be adequate provisions for ventilation and removal of hot air and odours.</li> <li>2. A separate facility for washing hands with soap and disposable paper tissues or towels or hot air hand dryer shall be provided at the staff entrance to the kitchen.</li> <li>3. There shall be a separate dedicated area, located away from the cooking area, preferably with a stainless steel sink, with running hot and cold water with a mixer tap for the washing of pots and pans.</li> </ol>
12.	Stores	<ol style="list-style-type: none"> <li>1. All deep freezers and cold rooms shall be maintained at correct temperatures.</li> <li>2. Dairy products and processed foods shall be stored separately from meat and sea food.</li> <li>3. Food stores shall be physically separated from other storage areas.</li> <li>4. Perishables shall be stored in temperature controlled areas.</li> <li>5. Grocery and dry foods shall be stored to avoid cross contamination of smells and flavours.</li> <li>6. All shelving used inside freezer rooms and cold rooms shall be made of stainless steel or suitable non metallic materials.</li> <li>7. A cellar or facility for storage of liquors and wines with correct storage temperatures shall be available.</li> <li>8. Different materials such as stationery, engineering items shall be stored in physically separated areas.</li> <li>9. Paints and volatile substances shall be stored in a separate well ventilated area of the building.</li> <li>10. Chemicals must be stored well ventilated separate area.</li> </ol>
13.	Sanitary Requirements	<ol style="list-style-type: none"> <li>1. Dry garbage shall be stored in a covered and ventilated condition until disposed.</li> <li>2. Re-cycle able garbage shall be sorted at source, stored and disposed off separately .</li> <li>3. Wet garbage shall be stored separately in an enclosed temperate control area.</li> </ol>
14.	Safety and Security	<ol style="list-style-type: none"> <li>1. The hotel building and fire fighting equipment shall conform to the relevant local regulations.</li> <li>2. A fire certificate shall be obtained annually from a nationally recognized/approved fire authority.</li> <li>3. At least 75 % of the staff shall be trained in first aid fire fighting.</li> <li>4. Signage conforming to international standards for emergency exit together with emergency lighting shall be provided in all areas of the hotel.</li> <li>5. Precautions shall be taken in sea-side hotels and hotels with swimming pools for the safety of the users.</li> </ol>

SCHEDULE (Contd.)

(Rule 2)

MINIMUM REQUIREMENTS FOR ALL CATEGORIES OF TOURIST HOTELS

No.	<i>COLUMN I</i> <i>Identified area</i>	<i>COLUMN II</i> <i>Minimum Capacities and Facilities</i>
		<ol style="list-style-type: none"> <li>6. Cautionary and warning signs conforming to international standards shall be displayed prominently.</li> <li>7. Protective measures shall be taken to prevent lightning strikes.</li> <li>8. First-aid facilities shall be available.</li> <li>9. Doctors shall be available 24 hours on-call in case of emergencies.</li> <li>10. The hotel should be covered by Comprehensive Hoteliers' Insurance Policy including public liability and workmen's compensation</li> </ol>
15.	Swimming Pools	<ol style="list-style-type: none"> <li>1. Depth markings and internationally accepted safety signs shall be permanently displayed at the swimming pool.</li> <li>2. Where a swimming pool is available the water quality shall be maintained according to internationally accepted standards.</li> <li>3. The quality of water shall be checked and recorded at least twice a day.</li> <li>4. Swimming pool water quality shall be maintained within the following parameters. PH 7.4 to 7.6 Residual Chlorine minimum 0.5 ppm (1.0 ppm is recommended)</li> </ol>
16.	Facilities for guests with restricted ability	Compliance with the Design Standards of the Accessibility Regulations No. 1 of 2006 published in the Gazette No. 1,467/15 of October 17, 2006 made under section 25 of the Protection of the Rights of Persons with Disabilities Act, No. 28 of 1996.
17.	Public Toilets	At least one toilet with facilities for differently able or wheel chair users shall be available.
18.	Facilities for Drivers	Adequate facilities shall be provided for the drivers to stay overnight. There should be comfortable bedding and separate dining area.
19.	Staff	<ol style="list-style-type: none"> <li>1. All food handling staff shall be medically examined once a year.</li> <li>2. Medical reports certified by a government registered medical practitioner shall be submitted.</li> <li>3. Separate clean toilets with water closets in good working order and well maintained showers shall be available for the staff</li> <li>4. Walls of toilet including the shower area shall be covered with impervious material</li> <li>5. The minimum height of the wash basin and WC area shall be 150 cm. and shower area to be 210 cm.</li> <li>6. Floor inside the toilet including the shower area must be of non slippery material.</li> </ol>

05-74/5