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# The Gazette of the Democratic Socialist Republic of Sri Lanka

## EXTRAORDINARY

අංක 2149/20 - 2019 නොවැම්බර් මස 14 වැනි බ්‍රහස්පතින්දා - 2019.11.14  
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(Published by Authority)

## PART I : SECTION (I) — GENERAL

### Government Notifications

L.D.B. 3/2012(XIII)

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

REGULATIONS made by the Minister of Tourism Development, Wild Life and Christian Religious Affairs on the advice of the Sri Lanka Tourism Development Authority under Section 69 of the Tourism Act, No. 38 of 2005 read with subsections (3), (6) and (7) of Section 48 and Subsection (1) of Section 50 of the aforesaid Act.

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

Colombo,

#### Regulations

1. These regulations may be cited as the Tourism (Registration of Ayurvedic Hotel) Regulations No. 2 of 2019.
2. No person shall carry on business of a Ayurvedic Hotel as a Tourist Enterprise unless such enterprise is registered with the Sri Lanka Tourism Development Authority (hereinafter referred to as the “Authority”) and obtained a license for such enterprise from the Authority.
3. The provisions of the Tourism (Classification of Tourist Hotels) Regulation No. 1 of 2016 published in the *Gazette Extraordinary* No. 1963/28 dated April 20, 2016 shall apply in relation to Ayurvedic Hotels.



PART I

**Registration of Ayurvedic Hotels**

4. Every person who desires to register a Ayurvedic Hotel as a registered Tourist Enterprise shall -

- (a) submit an application to the Director-General of the Authority (hereinafter referred to as the “Director-General”) in a form determined by him ; and
- (b) accompanied by such fees specified in the Order made under subsection (5) of section 48 of the Tourism Act, No. 38 of 2005 and published in *Extraordinary Gazette* No. 2071/57 dated May 16, 2018.

5. 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 such application.

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

7. Where the Director-General satisfies that the applicant possess the requirements mentioned herein, the Director-General shall register such applicant as registered proprietor of such Ayurvedic Hotel and, issue a Certificate of registration to such registered proprietor.

8. Upon the registration of such Ayurvedic Hotel, the Authority may issue a Certificate of Standards to the proprietor of such Ayurvedic Hotel containing minimum standards of such enterprise.

PART II

**Licensing of Registered Ayurvedic Hotels**

9. (1) Every person who desires to carry on a business of an Ayurvedic Hotel registered under these regulations shall -

- (a) submit an application to the Director-General in a form determined by him ; and
- (b) accompanied by such fees specified in the Order made under subsection (5) of Section 48 of the Tourism Act, No. 38 of 2005 and published in *Extraordinary Gazette* No. 2071/57 dated May 16, 2018.

(2) Every application under paragraph (I) shall be accompanied by a detailed report setting out the capacity and ability of the Ayurvedic Hotel.

10. Upon the receipt of an application for the issuance of a license from the proprietor of the registered Ayurvedic Hotel, 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.

- 11.(a) The Director-General shall, on being satisfied that the applicant possesses the minimum standards specified in the Certificate of Standards for Ayurvedic Hotel issue a license to the proprietor of the Ayurvedic Hotel.
- (b) The Director-General shall, in writing within a period of one month inform the applicant of his decision and in a case of a refusal to grant license, he shall state his reasons therefore.

12. The license issued under regulation 11 of these regulations -

- (a) may be 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 Tourism Act, No. 38 of 2005 or any regulations made thereunder.
- (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.

### PART III

#### General

13. The Director-General may refuse to issue a license under regulation 11 where the applicant -

- (a) has failed to register the tourist enterprise of the Ayurvedic Hotel or himself as the registered proprietor under these regulations ; or
- (c) has failed to comply with minimum standards specified in the Certificate of Standards issued under these regulations.

14. The Director-General may, on the approval of the Authority amend, modify or rescind any term or conditions attached to the Certificate of Registration or the license.

15. The Director-General may cancel the Certificate of Registration issued under regulation 7 or license issued under regulation 11 of these regulations on the ground -

- (a) that any provisions of the Tourism Act, No. 38 of 2005 has been violated ;
- (b) that any regulations made under the Tourism Act, No. 38 of 2005 has been violated ; or
- (c) that any condition attached to the Certificate of Registration issued under regulation 7 or license issued under regulation 11 has not been complied with.

16. A license issued under regulation 11 of these regulations shall be renewable -

- (a) on an application being made on that behalf to the Director-General in a form as may be determined by him ;
- (b) not later than three months before the expiry of the license ; 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 published in *Gazette* No. 2071/57 dated May 16, 2018.

17. Any person aggrieved by a decision of, refusal to issue the Certificate of Registration or refusal of a renewal or a cancellation of a license issued may, within one month of the date of receipt of the written communications informing such person of the refusal or the cancellation, as the case may be, submit an appeal to the Tribunal established under Section 51 of the Tourism Act, No. 38 of 2005.

18. Every registered and licensed proprietor shall ensure the registered Ayurvedic Hotel complies with the minimum requirements as specified in Schedule hereto.

19. The Director-General shall check this to maintain a Register of Ayurvedic Hotels which shall contain such particulars of the registered and licensed Ayurvedic Hotel and be maintained in such form as may be determined by the Director-General.

20. In these regulations -

“Ayurvedic Hotel” means an enterprise which is dedicated to provide indigenous or traditional Ayurvedic health care services to enhance mental, physical and spiritual wellbeing of the guests.

## **Schedule**

(Section 18)

### **1.0 Minimum Requirements for Ayurvedic Health Care Hotel**

#### **1.1 Location**

The minimum requirements of the particular classified Hotel to be complied with the Tourism (Classification of Tourist Hotels) regulation No. 1 of 2016 published in the **Gazette Extraordinary** No. 1963/28 dated April 20, 2016

#### **1.2 Buildings**

The buildings shall be suitably designed and constructed for provision of Ayurvedic health care services.

#### **1.3 Compound and Garden**

The compound and the garden shall be well laid out and maintained to harmonize with the requirements of Ayurvedic health care services, preferably grown with Ayurvedic herbs.

#### **1.4 Parking**

There shall be dedicated parking space for the guests of the Ayurvedic health care component.

#### **1.5 Reception/Information**

A separate Reception/Information desk shall be made available to receive and provide detailed information on Ayurvedic health care service to the guests.

#### **1.6 Consultation Rooms and Guest Waiting Rooms**

1.6.1 There shall be one or more consultation room/s with adequate space and facilities for physician.

1.6.2 These rooms shall be demarcated, adequately lit and ventilated and shall be well maintained.

1.6.3 Comfortable seating facilities shall be provided for the physicians as well as for guests seeking treatments.

1.6.4 A copy of the Ayurvedic Practitioner's Certificate by the Department of Ayurvedic/Ayurvedic Medical Council, indicating his specialization, shall be displayed in the guest waiting area or in the consultation room.

### **1.7 Types of Ayurvedic Treatments**

The Ayurvedic Health Care Unit shall provide the following types of Ayurvedic treatments.

- 1.7.1 Poorva Karma (Sneha an Sweda Karmal, namely (a) Thaila Abyanga and Sheera Abyanga, (b) Shirodhara, (c) Sarwangadhara (d) Pinda and Wasshpa Swedha, (e) Agni and Niranga Swedha.
- 1.7.2 Pradhana Karma (Pancha Karma) namely (a) Vamana Karma, (b) Viredhana Karma, (c) Nasya Karma, (d) Vasthi Karma, (e) Raktha Mokshana Karma.
- 1.7.3 Paschath Karma, (a) Patya Ahara Viharana.
- 1.7.4 Kshudra Karma, namely (a) Gandusha, (b) Kavalangraha and (c) Akshi Tharpana.
- 1.7.5 Shamana Karma, namely (a) Deepana, (b) Paachana, (c) Athapa and (d) Sevana.

### **1.8 Treatment Rooms**

- 1.8.1 The treatment rooms shall be located away from the public areas and there shall be adequate privacy in an around the room.
- 1.8.2 Adequate number of treatment rooms shall be provided in relation to the number of rooms and guests seeking following therapeutical treatments ; namely (a) massage, (b) steam baths, (d) other treatment, (e) herbal baths, (f) acupuncture (if provided), meditation and yoga and counseling.
- 1.8.3 There shall be separate treatment rooms for male and female guests.
- 1.8.4 The following facilities and equipment shall be made available for treatment purpose, namely (a) Examination bed/s, (b) Wooden beds for massage/Shirodhara and (c) Caskets made out of wood (preferably Margosa) for steaming.
- 1.8.5 Treatment rooms shall have sufficient light and ventilation.
- 1.8.6 Adequate No. of showers shall be provided.
- 1.8.7 All guests shall be provided with clean and sanitized cotton linen which shall include bath robes, bath towels, face towels, hand towels, bed sheets, inhalation sheets, scarves and eye guards.

### **1.9 Post - Treatment Relaxation Lounge/Area**

- 1.9.1 There shall be a separate post-treatment relaxation lounge or are for relaxation after treatment.
- 1.9.2 It shall be well equipped and furnished with relaxing chairs and shall be without any disturbances.

### **1.10 Pharmacy and Medical preparation room**

- 1.10.1 There shall be a spacious pharmacy for stocking of Ayurvedic supplies and for preparation of medicine.
- 1.10.2 Preparation of medicine shall be done under the supervision of a qualified Ayurvedic Physician or qualified pharmacist, registered with the Ayurvedic Medical Council.
- 1.10.3 Suitable racks and storing devices shall be provided for storage of medicinal items and tables, equipment and utensils shall be provided for mixing and preparation of medicine.

1.10.4 The pharmacy shall be fitted with a wash basin with running hot and cold water.

1.10.5 All drugs/medicines shall be prepared according to the accepted standards using permitted utensils.

1.10.6 Manufactured drugs and raw materials shall be stored separately.

1.10.7 Proper and adequate heating and fermentation methods shall be observed.

1.10.8 The Pharmacist shall maintain an inventory of all pharmaceuticals, indicating date of manufacture, date of expiry, ingredients used and details of suppliers of manufacturers.

1.10.9 The Ayurvedic Health Care Unit shall purchase manufactured medicine from manufactures registered with the Department of Ayurveda and conform to the relevant standards certifications.

#### 1.11 Herbal Kitchen

1.11.1 There shall be a herbal kitchen with adequate knowledgeable and experienced staff for the preparation of required solid and liquid herbal products, decoctions, pastes and bundles.

1.11.2 Utensils used for the preparation of all Ayurvedic medicine in the Health Care Unit shall have the approval of the Department of Ayurveda.

#### 1.12 Casual Toilets Units

1.12.1 There shall be separate casual toilet units for males and females.

1.12.2 There shall be separate changing rooms, where necessary.

1.12.3 Each toilet unit shall be provided with water closet (W. C.) units, wash basins, mirrors, towel rails, clothes hooks, clean towels, sanitary bin with paper bags, soap trays, toilet paper with holders, bidets or hand bidets and hot and cold water.

1.12.4 The fixtures and fittings in the casual toilet units shall be in good working order.

1.12.5 Adequate separate shower shall be available.

1.12.6 The toilet units shall be adequately lit and ventilated and also well maintained.

1.12.7 The floors and walls up to 1.5 m of the toilet shall be of impervious material.

#### 1.13 Staff and Facilities

1.13.1 There shall be at least one Ayurvedic Physician certified by Department Ayurveda/Ayurveda Medical Council as a consultant attached to the Ayurvedic Health Care Unit, preferably with an Assistant Physician who shall have a Degree or Diploma from and institute recognized by the Department of Ayurveda. Any traditional Indigenous Ayurvedic Physician shall have obtained necessary clearance from the Department of Ayurveda, based on their proven track records.

1.13.2 There shall be an adequate number of Therapists, both male and female with at least six months training on Ayurvedic treatments and their certificate of training shall be approved by the Department of Ayurveda.

1.13.3 Attendants, both male and female, with at least six months training and practical experience in Ayurveda, shall be available to treat the male and female patients respectively.

1.13.4 The Physician or at least one member of the staff shall be proficient in English or any other relevant foreign language.

1.13.5 Separate and clean toilets with water closet in working order shall be available for the use of the staff.

1.13.6 There shall be separate staff changing rooms for males and females, equipped with necessary furniture and furnishing.

1.13.7 If staff staying overnight, adequate accommodation shall be available

1.13.8 Staff shall be provided with uniforms appropriate for the Ayurvedic service provided.

1.13.9 There shall be a staff dining room appropriately furnished and equipped.

#### 1.14 General

1.14.1 Emergency medical facilities/arrangement, such as First Aid and hospital transfer, shall be available, if and when necessary.

1.14.2 Guests' reports/medical profiles/patient history records that include medicines prescribed, by whom the medicines were prescribed and the treatments given shall be maintained and shall be able to produce upon request.

1.14.3 The Hotel shall obtain certificate from Department of Ayurveda.

1.14.4 Insurance cover with public liability with minimum of rupees five million shall be obtained.