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PART I : SECTION (I) — GENERAL

Government Notifications

L.D.B 3/2012(III)

TOURISM ACT, No. 38 OF 2005

REGULATIONS made by the Minister of Tourism Development, Wildlife 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 EMMANUAL AMARATHUNGA,
Minister of Tourism Development,
Wildlife and Christian Religious Affairs.

Colombo,
04th September, 2019.

REGULATIONS

1. These regulations may be cited as Tourist (Guiding Services) Regulations No. 01 of 2019.

2. (1) No person shall carry on a service of a tourist guide lecturer unless such service is registered under the relevant category of tourist guide lecturer referred to in regulation 2(2) hereto with the Sri Lanka Tourism Development Authority (hereinafter referred to as the "Authority") and obtained a license for such service from the Authority.

(2) All tourist guide lecturers shall be designated into four categories on the basis of the services they are authorized to perform as follows :-



- (a) National Tourist Guide Lecturer ;
- (b) Chauffeur Tourist Guide Lecturer ;
- (c) Area Tourist Guide Lecturer ;
- (d) Site Tourist Guide Lecturer.

(3) Each Tourist Guide Lecturer shall possess the minimum requirements and qualifications specified in Schedule I and Schedule II hereto as applicable.

PART I

Registration & Licensing of Tourist Guide Lecturers

3. Every person who desires to carry on a service of a tourist guide lecturer under these regulations shall -

- (a) submit applications for registration and licensing separately to the Director- General of the Sri Lanka Tourism Development Authority (hereinafter referred to as the “Director-General”) in forms as may be determined by him ;
- (b) pay 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 of May 16, 2018 together with the applications.
- (c) submit a valid medical certificate issued by a registered government medical officer certifying the applicant is mentally and physically fit to function as a tourist guide lecturer.
- (d) submit a valid proof of successful completion of training and skills development related to tourist guiding amounting to a minimum of 32 hours per annum conducted by Sri Lanka Institute of Tourism and Hotel Management, Sri Lanka Institute of National Tourist Guide lecturers or any other training institute authorized by the Authority ; and
- (e) submit a police certificate of non-conviction

4. 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.

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

6. Where the Director - General is satisfied that the applicant possesses the minimum requirements and qualifications specified in the Schedule I and Schedule II hereto as appropriate, he shall register such applicant as a registered Tourist Guide Lecturer and proceed with the licensing of such applicant.

7. Upon the receipt of an application for the issuance of a license from the registered Tourist Guide Lecturer, 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 the issuance of license.

8 (1) The Director-General shall, on being satisfied that the applicant possesses the minimum requirements and qualifications specified in the Schedule I and Schedule II hereto as appropriate, issue a license to such applicant to serve as a tourist guide lecturer.

(2) The Director-General shall, inform the applicant of his decision in writing within a period of one month and in a case of a refusal to issue the license, he shall specify his reasons therefor.

9. The license issued under regulation 8 of these regulations -

- (a) may be subject to such terms and condition as specified in the license, which the Director-General may deem appropriate for securing due compliance with the provisions of Tourism Act, No. 38 of 2005 or any regulation 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 II

General Provisions

10. No person in performing his functions as a tourist guide lecturer shall carry on any function other than the function for which such license is issued under regulation 8 of these regulations.

11. The Director-General may on the approval of the Authority amend, modify or rescind any term or condition attached to the license issued under regulation 8 of these regulations.

12. The Director-General shall cancel the license issued under regulation 8 of these regulations on the ground -

- (a) that any provision of the Tourism Act, No. 38 of 2005 has been violated ;
- (b) that any regulation made under the Tourism Act, No. 38 of 2005 has been violated ; or
- (c) that any condition attached to the license issued under regulation 8 of these regulations has not been complied with.

13. A license issued under regulation 8 of these regulations shall be renewable -

- (a) on an application being made in that behalf to the Director-General in a form as may be determined by him ;
- (b) not less than 3 months before the expiry of the license ; and
- (c) upon payment of 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 and published in *Gazette Extraordinary* No. 2071/57 of May 16, 2018.

14. Any person aggrieved by a decision of a refusal or renewal or a cancellation of a license issued may, within one month from the date of receipt of the written communication 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.

15. The Director-General shall casue to maintain a Register of services of tourist guide lecturers which shall contain such particulars of the registered and licensed tourist guide services and be maintained in such form as may be determined by the Director-General.

16. For the purpose of giving preference to those who are proficient in rare languages, the Authority shall decide the rare languages considering the market demand.

PART III

Terms and conditions of services

17. The Authority shall issue a valid identity card to each licensed tourist guide lecturer and it shall be the duty of the tourist guide lecturer to display his identity card on his person while on duty.

18. Every licensed tourist guide lecturer shall carry with him a valid license issued by the Authority while on duty.

19. A national tourist guide lecturer shall stay with the tourist group whom they accompany throughout the tour and the hotel shall provide similar accommodation facilities to the national tourist guide lecturer as provided to the tourist group.

20. Every person who already carries on a service of a tourist guide on the date of coming into operation of these regulations shall, notwithstanding the provisions contained in these regulations, be required to register with the Authority within a period of six months from the date of operation of these regulations.

21. In these regulations

“Area Tourist Guide Lecturer” means a person who is duly registered as an Area Tourist Guide and is thereby authorized by the Sri Lanka Tourism Development Authority to practise as a tourist guide only within the area/s specified in the license and with a vehicle of a seating capacity of not more than seven ;

“Chauffeur Tourist Guide Lecturer” means a person who is duly registered as a Chauffeur Tourist Guide and is thereby authorized by Sri Lanka Tourism Development Authority to practise as a tourist guide with a vehicle of a seating capacity of not more than seven in any part of Sri Lanka.

“National Tourist Guide Lecturer” means a person who is duly registered as a national tourist guide and is thereby authorized by the Sri Lanka Tourism Development Authority to practise as a National Tourist Guide in any part of Sri Lanka.

“Site Tourist Guide Lecturer” means a person who is duly registered as a site tourist guide and is thereby authorized by the Sri Lanka Tourism Development Authority to practise as a Site Tourist Guide only within the site/s specified in the license.

“Tourist Guide Lecturer” means any person who provides or performs the tourist guide services as a National Tourist Guide Lecturer ; Chauffeur Tourist Guide Lecturer ; Area Tourist Guide Lecturer, or Site Tourist Guide Lecturer ; and

“Tourist Guide Service” means a service provided to tourists by escorting them and giving them, information and narrations concerning all aspects of tourist interest in Sri Lanka.

SCHEDULE I

Regulations 6 & 8

Minimum requirement to be registered for the service of a Tourist Guide Lecturer.

1. The applicant shall be a citizen of Sri Lanka .
2. The age of the applicant shall be not less than 21 years and not more than 60 years on the closing date of the application.

3. The applicant shall be proficient in English or other foreign language/s.
4. For all categories of tourist guides, preference shall be given to those who are in possession of a degree from a university recognized by the university grants commission in the subjects of History, Geography, Sociology, Archaeology, Botany, Zoology, Agriculture, International Relations or in any other subject relevant to tourism.
5. The applicant shall possess a certificate of mental and physical fitness to carry out the services of Tourist Guide, issued by a competent government medical officer.
6. The applicant shall submit a police certificate of non-conviction for any offence.
7. Selection shall be based on the performance in a selection test, interview and a language competency test determined by the authority.

SCHEDULE II

Regulations 2, 6 & 8

Minimum qualifications for the Categories of :

1. National Tourist Guide Lecturer (English speaking)-
 - (a) Shall have passed G. C. E. A/L Examination in all subjects in at least two sitting with a credit pass for the subjects of English ; or
 - (b) Shall possess a degree by a university recognized by the university grant commission ; and
 - (c) Shall have successfully completed the National Tourist Guide training course conducted by the Sri Lanka Institute of Tourist and Hotel Management ; and
 - (d) Shall possess a valid certificate issued by the Sri Lanka Institute of Hotel Management.
2. National Tourist Guide Lecturer (Languages other than English) -
 - (a) Shall have passed G. C. E. A/L Examination in all subjects in at least two sittings ; or
 - (b) Shall possess a degree by a university recognized by the university grant commission ; and
 - (c) Shall possess a certificate of proficiency in the language intends to practice as a Tourist Guide, issued by an institution specified and recognized by the Sri Lanka Institute of Tourist and Hotel Management ; or
 - (d) Shall prove language proficiency by producing credentials of living and working for at least five years in a country when the said language is the native language and successful completion of a language competency test conducted by an institution recognized by Sri Lanka Institute of Tourism and Hotel Management.
 - (e) Shall have successfully completed the national tourist guides training course conducted by the Sri Lanka Institute of Tourism and Hotel Management and shall be in possession of a valid certificate issued by the Sri Lanka Institute of Tourism and Hotel Management.
3. Chauffeur Tourist Guide Lecturer -
 - (a) Shall have passed the G. C. E. O/L Examination with six subjects in at least two sitting ;
 - (b) Shall have successfully completed the Chauffeur Tourist Guide Training Course conducted by the Sri Lanka Institute of Tourism and Hotel Management.
 - (c) Shall be in possession of a valid license issued by a competent authority to drive a vehicle with a seating capacity of seven, with at least five years of experience of driving such a vehicle.
 - (d) Notwithstanding the requirements in regulation 14, and uninterrupted five years of good service record as an area tourist guide with Sri Lanka Tourism Development Authority with a valid license may applied to be a registered chauffeur tourist guide.

4. Area Tourist Guide Lecturer -

- (a) Shall have passed G. C. E. O/L Examination with four subjects in at least two sittings ;
- (b) Shall have successfully completed the Area Tourist Guide Training Course conducted by the Sri Lanka Institute of Tourism and Hotel Management ; or
- (c) Shall have successfully completed any other training conducted by any institute duly recognized and authorized for this purpose by the Sri Lanka Tourism Development Authority ;
- (d) Shall be a permanent resident in the province where the authorized area is located.

5. Site Tourist Guide Lecturer-

- (a) Shall have passed G. C. E. O/L Examination with four subjects in at least two sittings ;
- (b) Shall have successfully completed the Site Tourist Guide Training Course conducted by the Sri Lanka Institute of Tourism and Hotel Management ; or
- (c) Shall have successfully completed any other training conducted by any institute duly recognized and authorized for this purpose by the Sri Lanka Tourism Development Authority.

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