

রেজিস্টার্ড নং ডি এ-১

বাংলাদেশ



গেজেট

অতিরিক্ত সংখ্যা
কর্তৃপক্ষ কর্তৃক প্রকাশিত

বৃহস্পতিবার, এপ্রিল ২৫, ২০১৯

**Government of the People's Republic of Bangladesh
Ministry of Civil Aviation and Tourism**

NOTIFICATION

Dated: 17 April, 2019

S.R.O. No. 98-Law/2019.—In exercise of the powers conferred by section 22 of the Bangladesh Tourism Board Act, 2010, the Government is pleased to publish the following Authentic English Text of the Act, and it takes effect from the date on which the Act comes into force under sub-section (2) of section 1 of this Act:

**THE BANGLADESH TOURISM BOARD ACT, 2010
(ACT NO. XXXVII OF 2010)**

[18th July, 2010/3rd Sraban, 1417]

An Act to provide for the establishment of the Tourism Board for overall development, operation and growth of tourism industry and services in Bangladesh

WHEREAS it is expedient and necessary to provide for the establishment of the Tourism Board for overall development, operation and growth of tourism industry and services in Bangladesh;

It is hereby enacted as follows :—

**CHAPTER I
PRELIMINARY**

- 1. Short title, commencement and application.**—(1) This Act may be called the Bangladesh Tourism Board Act, 2010.

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(2) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

(3) It shall apply to the matters related to tourism of Bangladesh.

2. Definitions.—In this Act, unless there is anything repugnant in the subject or context,—

- (1) “Governing Body” means the Governing Body constituted under section 6;
- (2) “Chairman” means the Chairman of the Governing Body;
- (3) “Tourist” means a person who leaves his ordinary place of residence for a new place and stays there for a period not exceeding 1(one) year for leisure, recreation, business or for any other reason, except for the purpose of employment for earning;
- (4) “Chief Executive” means the Chief Executive officer of the Board;
- (5) “regulations” means regulations made under this Act;
- (6) “rules” means rules made under this Act;
- (7) “Board” means the ‘Bangladesh Tourism Board’ established under section 4;
- (8) “member” means a member of the Governing Body.

3. Overriding effect of the Act.—Notwithstanding anything contained in any other law related to tourism, for the time being in force, the provisions of this Act shall prevail.

CHAPTER II ESTABLISHMENT OF THE BOARD

4. Establishment of the Board.—(1) As soon as may be, after the commencement of this Act, the Government shall, by notification in the official Gazette, establish a Board to be called the Bangladesh Tourism Board for development, regulation, co-ordination and administration of matters related to tourism for carrying out the purposes of this Act.

(2) The Board shall be a body corporate, having perpetual succession and a common seal and, subject to the provisions of this Act, shall have power to acquire, hold and dispose of property, both movable and immovable, and shall by the said name sue and be sued.

5. Office of the Board.—(1) The head office of the Board shall be in Dhaka.

(2) The Board may, with the prior approval of the Government, establish its branch office at any place at home or abroad, if necessary.

6. Management and administration of the Board.—(1) The Board shall have a Governing Body and the management and administration of the Board shall vest in that Governing Body which may exercise such powers and perform such functions as the Board may exercise and perform.

(2) The Governing Body shall consist of the following members, namely:—

- (1) Secretary, Ministry of Civil Aviation and Tourism, who shall also be its Chairman;
- (2) a representative of the Finance Division of the Ministry of Finance, of the rank of a Joint Secretary;
- (3) a representative of the Local Government Division of the rank of a Joint Secretary;
- (4) a representative of the Legislative and Parliamentary Affairs Division of the Ministry of Law, Justice and Parliamentary Affairs, of the rank of a Joint Secretary;
- (5) a representative of the Ministry of Cultural Affairs, of the rank of a Joint Secretary;
- (6) a representative of the Ministry of Chattogram Hill Tracts Affairs, of the rank of a Joint Secretary;
- (7) a representative of the Ministry of Home Affairs, of the rank of a Joint Secretary;
- (8) a representative of the Ministry of Environment and Forest, of the rank of a Joint Secretary;
- (9) a representative of the Ministry of Foreign Affairs, of the rank of a Joint Secretary;
- (10) a representative of the Ministry of Land, of the rank of a Joint Secretary;
- (11) Chairman, Bangladesh Parjatan Corporation;

- (12) a representative from the organization of the travel agencies or similar other organizations;
- (13) a representative from the organization of the tour operators or similar other organizations;
- (14) a representative from the hotel, resort, restaurant or similar other organizations;
- (15) an educationist or researcher experienced in tourism related matters;
- (16) a woman representative experienced in tourism related matters;
- (17) the Chief Executive, *ex officio*, who shall also be its member secretary.

(3) The members from serial number (12) to (16) of sub-section (2) shall be nominated by the Government.

(4) A member nominated by the Government shall hold his office for a period of 3(three) years from the date of this nomination.

Provided that such member may resign his office by writing under his hand addressed to the Chairman before the expiry of his tenure, or the Government may, at any time, relieve him of his duties.

7. Functions of the Board.—The functions of the Board shall be as follows, namely :—

- (1) to formulate policies, make recommendations and assist in the implementation of the existing policies related to tourism, for carrying out the purposes and objectives of this Act;
- (2) to provide advice and guidelines to the persons concerned for implementation of the plan adopted for the overall development of tourism industry;
- (3) to identify, conserve, develop, grow the tourism attractions and create public awareness;

- (4) to arrange participation of the Government, private sectors, local communities, local administration, NGOs, woman organizations and media, with a view to implementing the responsible tourism;
- (5) to co-operate and co-ordinate for establishing communications between tourism-related local organizations either public or private and foreign tourism organizations;
- (6) to co-ordinate with different organizations of the Government to make the tourists' arrival and stay in Bangladesh easier and safer as well as to deal with other matters of related interests;
- (7) to create facilities convenient to tourism industry and to assist in the development activities of tourism related matters and to maintain regular communication and co-ordination between public and private organizations or institutions and government departments or offices with regard to marketing at home and abroad;
- (8) to provide necessary assistance and guidelines in establishing and running training centers for human resource development in tourism industry;
- (9) to control the standard of tourism attraction and to take necessary measures to ensure the providing of quality tourism services in protecting the tourists' interests;
- (10) to ensure the facilities for the participation of the handicapped tourists;
- (11) to preserve the rights and participation of women in tourism industry;
- (12) to take appropriate measures following research on the development of tourism industry, observation and analysis of international market;
- (13) to provide necessary guidelines in support of the sick industries related to tourism;

- (14) to provide guidelines for arrangement of all tourism fairs and for publicity or publication activities thereof;
- (15) to make database related to tourism;
- (16) to perform such other duties as may be assigned, from time to time, by the Government.

8. Powers and duties of the Board.—Subject to the provisions of this Act, the Board shall have the following powers and duties, namely :—

- (1) to implement the policies formulated for achieving the goals and objectives of this Act;
- (2) to make regulations, with the approval of the Government, providing how the affairs and administration of the Board shall be carried out and how its financial matters shall be resolved;
- (3) to identify lands for the growth of tourism industry;
- (4) to acquire, hold and dispose of properties for the growth of tourism industry with the prior approval of the Government;
- (5) to determine the organogram of the Board with the prior approval of the Government; to create posts of the officers and employees of the Board and to prescribe terms and conditions of their services;
- (6) to approve the annual budget and supplementary budget of the Board;
- (7) to approve the audit report;
- (8) to approve corporate plan as well as annual and interim investment plan, with the prior approval of the Government, keeping consistency with the goals and objectives of the Board;
- (9) to approve, with the prior approval of the Government, self-financed investment of the Board and provisions in this regard;
- (10) to enter into agreements with local and foreign organizations or institutions, with the prior approval of the Government;

(11) to provide assistance to the public-private organizations for marketing tourism in the tourist generating countries; and

(12) such other duties as may be specified by the Government.

9. Meetings of the Governing Body.—(1) Subject to the provisions of this section, the Governing Body may determine the place, time and rules of procedure of its meeting.

(2) The presence of at least one-third of the total number of members shall constitute the quorum of a meeting.

(3) All meetings of the Governing Body shall be presided over by the Chairman, or in his absence, by any other member nominated by the Chairman.

(4) At least one meeting of the Governing Body shall be held in every 2 (two) months.

(5) Every member present in the meeting shall have one vote and the decision shall be taken by the votes of the majority of the members; but, in the event of equality of votes, the member presiding over the meeting shall have a second or casting vote.

(6) The Governing Body may invite any person or, if necessary, any tourist who is able to make special contribution in any matter to be discussed in its meeting, and such person may take part in the discussion but shall have no right of voting.

(7) No act or proceeding of the Governing Body shall be invalid and be called in question merely on the ground of any vacancy in, or defect in the constitution of, the Governing Body.

10. Committees.—The Board may, subject to the limit and conditions specified by it, constitute one or more committees comprising of a member of the Governing Body or an officer of the Board to assist it in exercising any of its powers or performing any duties under this Act and may, if necessary, co-opt any other person in such committee.

11. Delegation of powers.—The Board may, if necessary, delegate any of its powers under this Act to any member, committee or any such person as may be specified by the Board.

12. Chief Executive.—(1) There shall be a Chief Executive Officer of the Board.

(2) The Chief Executive shall be appointed by the Board and the terms and conditions of his service shall be prescribed by regulations.

(3) Until any appointment is made to the post of Chief Executive, the Government may, on requisition by the Board, appoint, on deputation, any officer of the rank of a Joint Secretary or and Additional Secretary, as the Chief Executive.

(4) The Chief Executive shall be a whole time officer of the Board, and shall exercise his powers and perform his functions subject to the provisions of this Act, rules and regulations.

(5) The Chief Executive shall be responsible for his functions to the Board.

13. Powers and functions of the Chief Executive.—The powers and functions of the Chief Executive under this act shall be as follows, namely:—

- (1) to execute the decisions and directions of the Board;
- (2) to prepare budget for short and long-term programmes and annual programme of the Board;
- (3) to prepare revenue budget of the Board;
- (4) to execute the plans and programmes approved by the Board;
- (5) to appoint necessary officers and employees;
- (6) to issue notice of the meetings of the Governing Body under the direction of the Chairman;

- (7) to take other necessary actions for carrying out the purposes of the Board as the Chief Executive; and
- (8) to perform such other duties as may be assigned by the Government.

14. Appointment of officers and employees of the Board.—(1) The Board may appoint such number of officers and employees as it may consider necessary for the efficient performance of its functions, according to the organogram approved by the Government.

(2) The appointment and terms and conditions of services of the officers and employees of the Board shall be determined by regulations.

(3) The Government may, on requisition by the Board, appoint officers and employees on deputation to the Board.

15. Report.—(1) The Chief Executive shall, within 90 (ninety) days after the end of a financial year, submit to the Governing Body an annual report on all activities of the Board and shall, with the approval of the Governing Body, send a copy of it to the Government.

(2) The Board shall make arrangements for publication of the annual report mentioned in sub-section (1) before the public.

CHAPTER III FUND OF THE BOARD, ETC.

16. Constitution of the fund.—(1) There shall be a fund of the Board for overall development, operation and growth of tourism industry and services in Bangladesh as well as for providing assistance in the field of tourism.

(2) Moneys received from the following sources shall be credited to the fund of the Board, namely :—

- (a) grants and loans made by the Government;
- (b) grants received from any foreign Government or organization or international organization with the prior approval of the Government;

- (c) grants made by any local authority;
- (d) grants made by any person or organization; and
- (e) receipt from any other source.

(3) This fund may be kept in the name of the Board in one or more scheduled bank or banks approved by the Governing Body.

(4) The fund shall be maintained and its money shall be spent in such manner and form as may be prescribed by rules.

17. Budget.—(1) The Board shall, within such period as may be specified by the Government, submit to the Government the annual budget statement for the next financial year showing the sums which are likely to be required from the Government during that financial year.

(2) In preparing the said budget, the procedure prescribed by the Government shall have to be followed and the proposed budget shall have the approval of the Governing Body.

18. Accounts and audit.—(1) The Board shall maintain its accounts and prepare an annual statement of accounts in such manner as may be specified by the Government.

(2) The Comptroller and Auditor-General of Bangladesh, hereinafter referred to as the Auditor-General, shall audit the accounts of the Board every year and shall send a copy of the audit report each to the Government and the Board.

(3) For the purpose of an audit report under sub-section (2), the Auditor-General or any person authorised by him in this behalf shall have access to all records, documents, cash or deposits in bank, securities, stores and other property of the Board and may examine the Chairman or any member of the Governing Body or any officer or employee of the Board or any other person concerned.

CHAPTER IV MISCELLANEOUS

19. Members of the Governing Body and officers and employees of the Board to be public servants.—All members of the Governing Body and all officers and employees of the Board shall be deemed to be public servants within the meaning of section 21 of the Penal Code (Act XLV of 1860).

20. Power to make rules.—For carrying out the purposes of this Act, the Government may, by notification in the official Gazette, make rules.

21. Power to make regulations.—For carrying out the purposes of this Act, the Board may, with the prior approval of the Government and by notification in the official Gazette, make regulations, not inconsistent with this Act or any rules.

22. Publication of authentic English text.—The original text of this Act shall be in Bangla and the Government shall, by notification in the official Gazette, publish an authentic English text of it:

Provided that in the event of conflict between the Bangla and the English texts the Bangla text shall prevail.

By order of the President

Nadira Haider
Deputy Secretary.