



BELIZE

**BELIZE TOURISM BOARD ACT
CHAPTER 275**

REVISED EDITION 2003
SHOWING THE SUBSIDIARY LAWS AS AT 31ST OCTOBER, 2003

This is a revised edition of the Subsidiary Laws, prepared by the Law Revision Commissioner under the authority of the Law Revision Act, Chapter 3 of the Substantive Laws of Belize, Revised Edition 2000.

ARRANGEMENT OF SUBSIDIARY LAWS



BELIZE

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CHAPTER 275**

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BELIZE TOURISM BOARD (TOUR GUIDE)

ARRANGEMENT OF REGULATIONS

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SCHEDULE

CHAPTER 275**BELIZE TOURISM BOARD
(TOUR GUIDE) REGULATIONS**

80 of 1994.
114 of 1996.

[27th August, 1994.]

- Short title. 1. These Regulations may be cited as the
- BELIZE TOURISM BOARD (TOUR GUIDE)
REGULATIONS**
- Interpretation. 2. In these Regulations, unless the context otherwise requires:
- CAP. 232A. “Board” means the Belize Tourism Board established under the Belize Tourist Board Act;
- “Committee” means the Tour Guide Committee established under regulation 3 of these Regulations;
- No. 22 of 1990. “drug” means a controlled drug under the Misuse of Drugs Act;
- “licence” means a licence granted under these Regulations and “licence holder” shall be construed accordingly;
- 114 of 1996. “national attractions” include attractions of a tourism nature, situated in Belize, and the infrastructure which makes the functioning of, and access to, such attractions possible;
- CAP. 318. “registered medical practitioner” means a person registered under the Medical Practitioners Registration Act;
- 114 of 1996. “tour guide” means a person in possession of a tour guide licence granted under Regulation 5 of these Regulations, whose main occupation is showing

tourists the national attractions, and generally watching over the safety while doing so. This service must be paid for.

3. (1) For the purpose of these Regulations, there shall be established a Committee to be called the "Tour Guide Committee".

Establishment of
Tour Guide
Committee.

(2) The Committee shall consist of nine members who shall, subject to subregulation (3) below, be appointed by the Minister as follows:

- (a) four representatives nominated by local tour guide associations recognized by the Board;
- (b) ~~one representative nominated by the Belize Tourism Board;~~
- (c) one representative nominated by the Belize Tourism Industry Association;
- (d) one representative nominated by the Belize Tour Operators Association; and
- (e) two representatives appointed by the Minister in his own discretion.

114 of 1996.

(3) In making appointments of members to Committee (whether in his own discretion or otherwise), the Minister shall have due regard to the geographical distribution of tour guides in order to ensure that all tourism destinations are adequately represented.

(4) The members of the Committee shall hold office for a period not exceeding two years as may be specified in the instrument of appointment and such member shall be eligible for reappointment.

(5) The members of the Committee shall appoint a suitable person from among their membership to be the Chairman of the Committee, and the Chairman shall have an original and a casting vote.

(6) A member of the Committee may at any time resign his office by instrument in writing addressed to the Chairman of the Committee.

(7) Minister may for good and sufficient cause revoke the appointment of a member of the Committee,

(a) upon the recommendation of the majority of the total membership of the Committee, or

(b) where he thinks it expedient so to do:

Provided that in revoking the appointment of a member under paragraph (b) above, the Minister shall do so after consultation with the Committee.

(8) The quorum at all meetings of the Committee shall be five members.

(9) Subject to these Regulations, the Committee may regulate its own procedure.

Duties and
functions
of the Committee.

4. The functions of the Committee shall be to:

(a) receive and determine applications for licences under these Regulations;

(b) provide advisory and information services to licence holders;

(c) assist licence holders in any matters affecting the discharge of their functions;

- (d) perform any other function for the better carrying out of the provisions of these Regulations;
- (e) make recommendations to the Board regarding the recognition of local tour guide associations. 114 of 1996.

(1) Subject to the provisions of these Regulations, any person intending to operate as a tour guide shall apply to the Committee on an application form prescribed by the Committee and such person shall submit his application along with the following to the Committee: Licences.

- (a) medical certificate issued by a registered medical practitioner;
- (b) recent police record;
- (c) two recommendations from persons in good standing who are well acquainted with the applicant;
- (d) a formal recommendation from a recognized local tour guide association;
- (e) two passport size photographs, one of which shall be certified as being that of the applicant;
- (f) proof of Belizean citizenship or of permanent residency with tour guiding as the defined occupation; and 114 of 1996.
- (g) proof of accreditation in the courses listed in regulation 8.

(2) Tour guides who have been in the tour guide industry for a

period of at least ten years and who do not possess the necessary requirements for a licence under these Regulations may obtain a licence provided that such tour guides:

- (i) submit a letter of recommendation from a local tour guide association which is acquainted with the tour guide;
- (ii) reliably and effectively satisfy the Committee of their competency in the areas of requirement for a licence under these Regulations; and
- (iii) satisfy any other necessary requirements as stipulated by the Committee.

(3) A licence granted under subregulation (2) above may be subject to such terms and conditions as the Committee deems fit.

(4) Subject to subregulation (8) of this regulation, all licences shall be issued by the Committee upon payment to the board of a fee of seventy five dollars by the applicant and such licences shall be in the form prescribed in the Schedule hereto:

114 of 1996. Provided that if the Chairman of the Committee is unable or unwilling to sign a licence the Chairman of the Board shall sign the licence in the place of the Chairman of the Committee.

(5) All licences issued under these Regulations shall expire within one year from the date of issue but may be renewed for like period upon payment of the prescribed fee and upon production of the documents specified in paragraphs (a), (b), (d) and (e) of subregulation (1) of this regulation.

(6) All tour guides shall, while conducting tours, prominently display upon their persons a laminated copy of their licence.

(7) Any person aggrieved by a refusal of the Committee to grant a licence may appeal to the Board.

(8) Where a licence has been lost, the holder of such licence may apply for a replacement licence upon payment of a fee of ten dollars, and the replacement licence shall expire at the expiration period of the original lost licence.

(9) All licence fees payable under this regulation shall be credited to the account of the Board.

(10) The Board shall provide guidelines to the Committee for the licensing of site specific tour guides. 114 of 1996.

6. (1) No person shall operate, advertise or hold himself out as a tour guide without first obtaining a licence in accordance with these Regulations. Prohibition on operating without licence.

(2) Any person who at the commencement of these Regulations is operating and desires to continue to operate as a tour guide shall within six months of the date of commencement of these Regulations apply to the Committee for a licence in accordance with the provisions of these Regulations.

(3) Any person who contravenes subregulation (1) or (2) above, or any person, company, entity or other group of persons who employs a person who is not licensed as a tour guide in accordance with these Regulations, commits an offence and is liable on summary conviction: 114 of 1996.

(a) in the case of a natural person, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding one year, or to both such

fine and term of imprisonment;

- (b) in the case of a company, entity, or other group of persons, to a fine not exceeding five thousand dollars.

Criteria for granting of licences.

7. (1) Subject to subregulation (2) of this regulation, no licence shall be granted to a person unless that person:

114 of 1996.

- (a) is a citizen or a permanent resident of Belize with tour guiding as a defined occupation;
- (b) is eighteen years of age or older;
- (c) possesses the aptitude and health which is required and which is compatible with his work;
- (d) is fluent in the English language;
- (e) has successfully completed the course of study stipulated in regulation 8 of these Regulations;
- (f) has not within five years prior to his application been convicted of a criminal offence;
- (g) is of good character.

(2) Notwithstanding anything contained in these Regulations, the Committee may, in the event there is a shortage of tour guides generally, or of tour guides possessing any particular skill, training or qualification necessary for tour guiding, grant a provisional licence to a person subject to such terms and conditions as two thirds of the Committee may deem fit.

Academic qualifications.

8. (1) An applicant for a licence under these Regulations shall possess

accreditation in at least the following courses:

- (a) fundamentals of Belizean Eco-Tourism;
- (b) fundamentals of tour guiding;
- (c) ecology, conservation and environmental protection;
- (d) natural history of Belize;
- (e) history and geography of Belize;
- (f) art, folklore and culture of Belize;
- (g) human relations and professional ethics;
- (h) safety, first aid, and cardio pulmonary resuscitation;
and
- (i) practical field experience.

(2) The examiners in these courses shall be recognized professionals in their respective fields.

(3) All persons seeking training in the above courses shall be responsible for paying their own fees.

(4) The Committee shall reserve the right to require higher qualifications than those specified in this regulation from persons who, in the opinion of the Committee may be involved in high risk activities.

9. It shall be the duty of licence holders under these Regulations to:

Duty of licence holders.

- (a) maintain at all times appropriate personal appearance;
- (b) cooperate with the Committee whenever this is necessary for the promotion of tourism in Belize;
- (c) take all necessary steps to safeguard the environmental integrity of Belize;
- (d) attend cultural activities or events or refresher courses organized by the Committee to improve and enhance their performance in their profession.
- (e) exercise their functions as tour guides and in touristic enterprises; and
- (f) cooperate and seek advice from the Board in order to more efficiently carry out their duties.

Functions of
licence holders.

10. The functions of licence holders under these Regulations shall be to:

- (a) convey and guide tourists to and in touristic attractions, facilities and establishments;
- (b) assist tourists with their shopping needs while ensuring that articles of arts and craft purchased are of good quality and authenticity;
- (c) assist tourists in avoiding excessive charges for services or items purchased;
- (d) provide tourists with information about transportation, tourist services, national attractions, social and economic conditions, public attractions,

114 of 1996.

climatic and sanitary conditions, lodging facilities and other matters of interest in the country, in as precise and truthful a manner as possible;

- (e) report any abuse or infractions of the laws relating to tourism by any person to the Committee;
- (f) take all necessary steps to safeguard the environmental integrity of Belize; and
- (g) testify, if requested, before the relevant authorities of any abuses to tourists under their care.

114 of 1996.

11. Any tour guide licensed under these Regulations who-

Offences and penalties.

- (a) insults, abuses or harasses a tourist, either through word or deed;
- (b) induces or encourages tourists to do anything contrary to the laws of Belize or to do anything which goes against good customs or morals;
- (c) carries out or attempts to carry out his functions under these Regulations while under the influence of alcohol or illegal drugs;
- (d) offers for sale or otherwise any illegal drugs or illegal commodities to tourists;
- (e) is convicted of any serious crime by any court of law;
- (f) engages in any activity detrimental to the environmental integrity or archaeological or cultural

heritage of Belize;

114 of 1996.

- (g) contravenes subregulation (6) of Regulation 5 of these Regulations shall be liable to pay to the Board, upon demand, a fine of \$25.00;

shall, in addition to the penalties prescribed under any other law, be liable to any of the following disciplinary actions by the Committee:

- (a) a reprimand;
 (b) suspension of licence;
 (c) revocation of licence.

Repeal of
S.I. 130/92.

12. The Belize Tourism Board (Tourist Guide) Regulations, 1992 are hereby repealed.

Commencement.

13. These Regulations shall come into force on the 1st of November, 1994.

MADE by the Belize Tourism Board this 3rd day of August, 1994.

.....
(SANTIAGO CASTILLO)
Chairman
Belize Tourism Board

APPROVED by the Minister responsible for Tourism this 3rd day of August, 1994.

.....
(HENRY YOUNG)
Minister of Tourism and
The Environment

SCHEDULE

[Regulation 5]

BELIZE TOURISM BOARD
TOUR GUIDE (REGULATIONS)

TOUR GUIDE LICENCE
NOT TRANSFERABLE

LICENCE NO.

(INSERT HERE FULL NAME AND ADDRESS)

.....
being qualified to operate as a tour guide and having paid the fee
of..... is hereby licensed under the Belize Tourism Board (Tour
Guide) Regulations, to operate as a **TOUR GUIDE** in Belize until the.....
.....20....

DATED thisday of.....20....

.....
Chairman
Tour Guide Committee

CHAPTER 275**BELIZE TOURISM BOARD (TOUR OPERATORS)
REGULATIONS****ARRANGEMENT OF REGULATIONS**

1. Short title.
2. Interpretation.
3. Tour Operators Committee.
4. Functions of the Committee.
5. Tour Operators to be licensed.
6. Criteria for licensing.
7. Licences.
8. Duties of licence holders.
9. Offences and penalties.
10. Repeals and commencement.

FIRST SCHEDULE**SECOND SCHEDULE****THIRD SCHEDULE**

CHAPTER 275

**BELIZE TOURISM BOARD (TOUR OPERATORS)
REGULATIONS**

90 of 1999.

[31st July, 1999.]

1. These Regulations may be cited as the Short title.

**BELIZE TOURISM BOARD (TOUR OPERATORS)
REGULATIONS.**

2. (1) In these Regulations, unless the context otherwise requires:- Interpretation.

“Board” means the Belize Tourist Board established under the Belize Tourist Board Act; CAP. 232A.

“Committee” means the Tour Operators Committee established under Regulation 3 below;

“drug” means a controlled drug under the Misuse of Drugs Act; No.22/1990.

“licence” means a licence issued under these Regulations and “licence holder” shall be construed accordingly;

“Minister” means the Minister responsible for Tourism;

“tour operator” means, subject to Regulation 6(2) below:

- (a) a Belizean citizen, or permanent resident with the business of tour operator defined as his occupation on his permanent residency permit, who falls into one of the various categories set out in subregulation

(2) below; or

- (b) an entity which is controlled by a majority of Belizeans or permanent residents of Belize, or a company whose majority shareholding is owned by Belizean citizens or permanent residents, which falls into one of the various categories set out in subregulation (2) below.

(2) The various categories referred to in the definition of “tour operator” in subregulation (1) above are:-

- (a) an individual, company or entity that operates and markets tour packages internationally, and also executes complete tour packages of any nature to guests, including transportation within Belize, lodgings, meals, and guided tours to pre-selected tourist sites in Belize by air, sea or land, including guided dive and snorkeling tours to pre-selected tourist sites within the territorial waters of Belize;
- (b) an individual, company or entity that executes countrywide tour packages of any nature to guests and offers lodgings, meals and guided tours to pre-selected tourist sites in Belize by air, sea or land;
- (c) an individual, company, or entity that executes localized tour packages of any nature to guests and offers lodgings, meals and guided tours to pre-selected tourist sites in Belize by air, sea or land;

- (d) an individual, company or entity (including without limitation all types of hotels and tourist accommodation as defined in the Hotels and Tourist Accommodation Act) that is involved in executing ground handling operation tour services, either of a complete nature or a segment thereof, and which works or represents international interests, or works with international tour individuals, companies or entities in partnership through satellite operations, strategic alliances or otherwise. No. 12/1997.

3. (1) For the purposes of these Regulations, there shall be and is hereby established a Committee to be known as the Tour Operators Committee (hereinafter referred to as “the Committee”) which shall be constituted in the manner provided in subregulation (2) below. Tour Operators Committee.

(2) The Committee shall consist of nine members appointed by the Minister as follows:-

- (a) three representatives nominated by the local Tour Operators Association recognised by the Board;
- (b) two representatives nominated by the Board;
- (c) one representative nominated by the Belize Tourism Industry Association;
- (d) one representative nominated by the Belize Hotel Association;
- (e) one representative nominated by a Tour Guide Association recognised by the Board; and

(f) one representative nominated by the Minister in his absolute discretion.

(3) In making any appointment under subregulation (2) above, the Minister shall first take into account, consider and have due regard to the geographical distribution of tour operators in order to ensure, where applicable, that all tourism destinations are adequately represented.

(4) Each member of the Committee shall hold office for a period not exceeding two years as may be specified in his instrument of appointment and shall be eligible for reappointment.

(5) The members of the Committee shall elect from among their number a suitable person to be the Chairperson of the Committee, and the Chairperson so elected shall have an original and a casting vote.

(6) A member of the Committee may at any time resign his office by instrument in writing addressed to the Chairperson of the Committee, and in the case of the Chairperson addressed to the Minister.

(7) The Minister may for good and sufficient cause revoke the appointment of a member of the Committee:-

(a) upon the recommendation of the total membership of the Committee; or

(b) where he thinks it expedient to do so:

Provided that in revoking the appointment of a member of the Committee under paragraph (b) above, the Minister shall only do so after consultation with, and with the majority consensus of, the whole Committee.

(8) The quorum at all meetings of the Committee shall be five members.

(9) Subject to these Regulations, the Committee may regulate its own procedure.

4. The functions of the Committee shall include:-

Functions of the Committee.

- (a) receiving, considering and determining applications for licences under these Regulations;
- (b) providing advisory information and other related services to licence holders;
- (c) assisting licence holders in any matters affecting the discharge of their functions;
- (d) performing any other functions for the better carrying out of the objects and purposes of these Regulations including but not be limited to defining policy guidelines for the tour operators industry, setting and revising on a continuous basis the licensing criteria for tour operators, and developing rules and regulations for the training of tour operators and other related activities.

5. An individual, company or entity desiring to operate as a tour operator in and within Belize from the commencement of these Regulations shall complete and submit an application form to the Committee in the form set out in the First Schedule to these Regulations.

Tour Operators to be licensed. Application Form. First Schedule.

| | | |
|---|---|--|
| Criteria for licensing. | 6. (1) Subject to subregulation (2) below, the Board shall grant a licence to:- | |
| | | (a) an individual who is a Belizean citizen or permanent resident with the business of “tour operator” defined as his occupation on the permanent residency permit; |
| | | (b) an entity which is controlled by a majority of Belizeans or permanent residents of Belize, or a company whose majority shareholding is owned by Belizeans or permanent residents, and which possesses a valid trade licence; |
| | | (c) applicants who have not, for the past five years, been convicted of an offence involving dishonesty, and who have not within that period been declared bankrupt; |
| Tour and Safety Equipment. Third Schedule. | | (d) applicants with all appropriate tour and safety equipment essential for the particular tour operation as set out in the Third Schedule hereto; |
| | | (e) applicants with the ability and capability to package, market and/or operate tours and represent Belize, both within and without, in a professional manner; |
| | | (f) individuals who are eighteen (18) years old and above; |
| | | (g) applicants who submit, together with their |

application forms as set out in the First Schedule hereto:- Application Form.
First Schedule.

- (i) proof of “tour operators” business registered under the laws of Belize; and
- (ii) one written letter of recommendation from an individual within the tourism community of Belize of good standing recognised by the Committee; and
- (iii) a non-refundable application fee of Belize two hundred and fifty dollars; and
- (iv) two photographs of the interior and exterior of the place where they carry on the business of tour operators; and
- (v) in the case of a company, a copy of its memorandum and articles of association and certificate of registration; and
- (vi) professional details of persons employed or to be employed by the applicant, and the number of Belizean citizens or permanent residents so employed; and
- (vii) a description of the nature and category of tour packages offered, or to be offered, by the applicant, including the equipment operated by the tour operator, and the tourist sites or tourist activities associated with such tour packages.

No. 12/1997.

(2) Tour Operators who have been operating as such for a period of at least one year before the commencement of these Regulations (including without limitation all types of hotels and tourist accommodation as defined in the Hotels and Tourist Accommodation Act) and who do not meet the licensing criteria specified in subregulation (1)(a) and (b) above may obtain a licence under these Regulations provided that they meet all the other licensing criteria specified in subregulation (1)(c) to (g) above and provided further that they submit to the Committee:-

- (a) proof of continuous tour operations in Belize for a period of at least one year prior to the commencement of these Regulations, in the form of receipts, evidence of income and business tax returns or previous trade licences or any other evidence of a similar nature; and
- (b) proof that they are competent to conduct the business of tour operators; and
- (c) any other requirements which the Committee may stipulate as a condition precedent to the issue of the licence.

(3) Tour operators who do not fall under the categories specified in Regulation 2(2), or under subregulation (2) of this Regulation may only operate in Belize if they utilise the services of tour operators licensed under these Regulations and they submit to the Committee, in such detail as the Committee may require, the names and other particulars of such tour operators.

(4) Any foreign tour operator who conducts tour operations in Belize in contravention of subregulation (3) above commits an offence and shall be liable on summary conviction to a fine not exceeding Belize five thousand

dollars or to imprisonment for a period not exceeding twelve months.

7. (1) A licence issued by the Committee to a tour operator under these Regulations:- Licences.

(a) shall expire on the 31st December in each year;

(b) shall be issued upon payment to the Board of a non-refundable fee of Belize two hundred and fifty dollars by the applicant;

(c) shall be in the form set out in the Second Schedule to these Regulations; Form of Licence.
Second Schedule.

(d) shall, unless revoked by the Committee for just cause, be renewable by the Committee upon payment to the Board by the applicant thereof of a non-refundable fee of Belize two hundred and fifty dollars; and upon full compliance with all the conditions stipulated by the Committee;

(e) may be revoked by the Committee if the licence holder contravenes any term or condition set out therein;

(f) shall be non-transferable and non-assignable;

(g) shall be subject to such terms and conditions as the Committee may think fit to impose.

(2) A licence issued under these Regulations shall not provide or cover for:-

- (a) work permits; and
- (b) any other permits required under any law in force in Belize for operating a business in Belize.

(3) Where a licence issued by the Committee to an applicant under these Regulations has been lost, destroyed, defaced or mutilated, the licence holder may apply to the Committee for a replacement copy thereof upon payment of a non-refundable fee of Belize twenty five dollars and such licence shall expire on the 31st December of the year in which it is issued.

(4) All fees paid pursuant to these Regulations shall be credited to the account of the Board.

Duties of licence holders.

8. It shall be the duty of all licence holders under these Regulations:-

- (a) to utilise only licensed tour guides and tour operators;
- (b) to maintain valid, licensed and insured tour and safety equipment as set out in the Third Schedule to those Regulations;
- (c) to be in possession of valid passenger liability insurance on all equipment at all times;
- (d) to take all necessary steps to safeguard the environmental, moral, historical and cultural integrity of Belize;
- (e) to maintain at all times appropriate personal appearances and ensure that their employees do the same;

Tour and Safety Equipment.
Third Schedule.

(f) to cooperate with the Committee whenever this is necessary for the development of tourism in Belize.

9. (1) Any licence holder who:-

Offences and penalties.

(a) insults, abuses or harasses without just cause a tourist under his care, either through word or deed; or

(b) induces or encourages a tourist under his care to do anything contrary to the laws of Belize which goes against good customs and morals; or

(c) carries out or attempts to carry out his functions under these Regulations while under the influence of alcohol or illicit drugs; or

(d) offers for sale or otherwise any illicit drugs or illegal commodity to tourists; or

(e) engages in any activity detrimental to the environmental integrity or archaeological or cultural heritage of Belize;

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

(2) Any person who operates, advertises or holds himself out as a tour operator without first obtaining a licence issued under these Regulations, or having been issued with a licence, operates in contravention of any term or condition contained in the licence, commits an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding six months, or to both such fine and period of imprisonment.

(3) All fines paid under these Regulations shall be credited to the account of the Board.

(4) Without prejudice to any penalties which may be prescribed by any other law, if a tour operator engages in any conduct which is not specifically prohibited under these Regulations but which in the opinion of the Committee places the profession in disrepute, the Committee may impose on such tour operator any of the following disciplinary measures, namely:-

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

Repeals and
commencement.
S.I. 21/1997.

10. (1) Upon the commencement of these Regulations, the Belize Tourist Board (Tour Operators) Regulations shall stand repealed, but such repeal shall not affect the validity of any licence issued thereunder which will be in force after the commencement of these Regulations.

(2) These Regulations shall come into force on the
day of 1999.

MADE by the Belize Tourist Board this day of
..... 1999.

.....
Acting (Chairman)
Belize Tourism Board

APPROVED by the Minister of Tourism this 12th day of May, 1999.

.....
(MARK ESPAT)
Minister of Tourism

FIRST SCHEDULE (REGS. 5 AND 6)**BELIZE TOURISM BOARD****(TOUR OPERATORS) REGULATIONS****APPLICATION FORM**

Name of Applicant (Company _____)

(Entity _____)

(Individual _____)

(Owner/Manager _____)

Business Address _____

Telephone _____ Fax: _____

Home Address _____

Telephone _____

Date legally registered _____

Ownership of company/Entity _____

Name _____

Address _____

Telephone/Fax/E-Mail/Website/ _____

DATE

SIGNATURE

FOR OFFICIAL USE ONLY

Recommendations _____

SECOND SCHEDULE (REG. 7)**BELIZE TOURISM BOARD****(TOUR OPERATORS) REGULATIONS****FORM OF LICENCE****NOT TRANSFERRABLE/ASSIGNABLE****LICENCE NO.****(INSERT FULL NAME AND ADDRESS OF LICENSEE)**

being qualified to operate as a tour operator, and having paid the fee of _____ dollars, is hereby licensed under the Belize Tourist Board (Tour Operators) Regulations, 1999 to operate as a **TOUR OPERATOR** _____ in Belize until the _____ day of _____
 (specify type of activities allowed) (specify expiry date)

_____ .
 (specify expiry month) (specify expiry year)

DATED this _____ day of _____, _____ .
 (date) (month) (year)

CHAIRPERSON
Tour Operator Committee

THIRD SCHEDULE (REGS. 6 AND 8)

**BELIZE TOURISM BOARD
(TOUR OPERATORS) REGULATIONS.**

TOUR AND SAFETY EQUIPMENT

1. Fire Extinguisher.
2. First Aid Kits.
3. Seat Belts.
4. Life Jackets.
5. Flares/Reflectors/Lights.
6. Fire Axe (optional).
7. Communication Device.
8. Tow Cable.
9. Tool Box.
10. Flash Light.
11. Adequate sealed drinking water.

CHAPTER 275

**BELIZE TOURISM BOARD (LOCAL WATER PASSENGER AND
WATERSPORTS VESSELS) REGULATIONS**

ARRANGEMENT OF REGULATIONS

1. Short title.
2. Interpretation.
3. Categories of persons qualified to be operators.
4. Establishment of Committee.
5. Functions of Committee.
6. Operators to be licenced.
7. Other criteria for licensing.
8. Licences.
9. Duties of licence holders.
10. Offences and penalties.
11. Repeals.
12. Commencement.

FIRST SCHEDULE

SECOND SCHEDULE

THIRD SCHEDULE

CHAPTER 275

80 of 2002. **BELIZE TOURISM BOARD (LOCAL WATER PASSENGER AND
WATERSPORTS VESSELS) REGULATIONS**

[6th July, 2002.]

Short title. 1. These Regulations may be cited as the

**BELIZE TOURISM BOARD (LOCAL WATER PASSENGER
AND WATERSPORTS VESSELS) REGULATIONS.**

Interpretation. 2. In these Regulations, unless the context otherwise requires -

“authorised person” means:

- (a) a person authorised by the Board to administer these Regulations;
- (b) a police officer; or
- (c) an officer of the Board;

CAP. 275. “Board” means the Belize Tourism Board established under the Belize Tourism Board Act;

“cruising” means boating for pleasure and as a means of transportation in any part of the territorial waters of Belize but does not include mere passage through such waters;

“Harbour Master” means the Harbour Master or a person acting under his authority, express or implied;

“local water passenger vessel” includes cruise tenders, shuttles, sail boats, water taxis, pontoon boats, party boats, tour boats and skiffs which are used by local water passenger vessel providers for cruising purposes within the territorial waters of Belize upon payment of any fee or some other form of reward by a passenger;

“local watersports vessel” means any motorized vessel used by local watersports vessel providers to provide watersports services to the public upon payment of a fee or some other form of reward and includes vessels used for parasailing, water skiing, jet skiing and sport fishing;

“Minister” means the Minister for the time being responsible for tourism;

“operator” means the owner of any local water passenger vessel or local watersports vessel and includes any person for the time being in charge and in control of such vessel;

“territorial waters of Belize” has the same meaning assigned to it under section 3 of the Maritime Areas Act. CAP. 11.

3. Any-

- (a) Belizean citizen, or permanent resident of Belize with the business of tourism indicated as his principal occupation on his permanent residency permit and who has resided in the country for at least five years; or
- (b) entity which is controlled by a majority of Belizeans or permanent residents of Belize who have resided in the country for at least five years, or a company whose majority shareholding is owned by Belizean citizens or permanent residents of Belize who have

Categories of persons qualified to be operators.

resided in the country for at least five years,

may, subject to the provisions of regulation 7(2), apply to the Committee for a licence to be an operator of a local water passenger vessel or a local watersports vessel.

Establishment of
Committee.

4. (1) For the purposes of these Regulations, there shall be and is hereby established a Committee to be known as the Local Water Passenger Vessels and Local Watersports Vessels Committee (hereinafter referred to as “the Committee”) which, shall be constituted in the manner provided in sub-regulation (2).

(2) The Committee shall consist of nine members appointed by the Minister as follows -

- (a) one representative nominated by the Water Taxi Association;
- (b) two representatives nominated by the Board;
- (c) one representative nominated by the Belize Tourism Industry Association;
- (d) one representative nominated by the Belize National Tour Operators Association;
- (e) one representative nominated by the Minister in his own discretion from suitably qualified persons with adequate knowledge of the tourism industry;
- (f) one representative nominated by the Belize Port Authority;

- (g) one representative nominated by a Tour Guide Association recognized by the Board; and
- (h) one representative of the Cruise Ship Taxi Association.

(3) Each member of the Committee shall hold office for a period not exceeding two years as may be specified in his instrument of appointment and shall be eligible for reappointment.

(4) The members of the Committee shall elect from among their number a suitable person to be Chairperson of the Committee and the Chairperson so elected shall have an original and a casting vote.

(5) A member of the Committee may at any time resign his office by instrument in writing addressed to the Chairperson of the Committee, and in the case of the Chairperson, addressed to the Minister.

(6) The Minister may for good and sufficient cause revoke the appointment of a member of the Committee:-

- (a) upon the recommendation of the total membership of the Committee; or
- (b) where he thinks it expedient to do so:

Provided that in revoking the appointment of a member of the Committee under paragraph (b), the Minister shall only do so after consultation with, and with the majority consensus of, the whole Committee.

(7) The quorum at all meetings of the Committee shall be five members.

(8) Subject to these Regulations the Committee may regulate its

own procedure.

Functions of
Committee.

5. The functions of the Committee shall include the following:-

- (a) receiving, considering and determining applications for licences under these Regulations;
- (b) providing advisory information and other related services to licence holders;
- (c) assisting licence holders in any matters affecting the discharge of their functions;
- (d) performing any other functions for the better carrying out of the objects and purposes of these Regulations, including but not limited to defining policy guidelines for the operation of local water passenger vessels and local watersports vessels, and setting and revising on a continuous basis the licensing criteria for operators, and developing rules and regulations for the training of operators and other similar activities.

Operators to
be licensed.

6. (1) Any individual, company or entity referred to in regulation 3 who or which is desirous of operating a local water passenger vessel or a local water sports vessel shall complete and submit an application form to the Committee in the form set out in the First Schedule.

First Schedule.

(2) When making an application under sub-regulation (1), the applicant shall pay to the Board a non-refundable application fee of twenty-five dollars.

Other criteria
for licensing.

7. (1) Subject to sub-regulation (2), the Committee shall grant a licence to:-

- (a) an individual who is a Belizean citizen or permanent resident with the business of tourism indicated as his principal occupation on his permanent residency permit and who has resided in Belize for at least five years;
- (b) an entity which is controlled by a majority of Belizeans or permanent residents of Belize, or a company whose majority shareholding is owned by Belizean citizens or permanent residents, and which possesses a valid trade licence;
- (c) applicants who have not, for the previous three years, been convicted of an offence involving dishonesty, or any other serious offence recognized as such by the Committee, and who have not within that period been declared bankrupt in Belize or abroad;
- (d) applicants who are at least eighteen (18) years of age and who have a minimum of one year boating experience;
- (e) applicants who submit, together with the application form as set out in the First Schedule- First Schedule.
 - (i) proof of ownership of the local water passenger vessel or local watersports vessel;
 - (ii) a valid certificate of seaworthiness in respect of the vessel and a safety licence issued by the Belize Port Authority and additionally the

captain of the vessel must be licensed by the Belize Port Authority;

(iii) a valid copy of their liability insurance;

(f) in the case of a company, a copy of its memorandum and articles of association and certificate of registration; and

(g) professional details of persons employed or to be employed by the applicant (if any), and the number of Belize citizens and permanent residents so employed.

(2) Operators who have been operating as such for a period of at least one year before the commencement of these Regulations and who do not meet the licensing criteria specified in sub-regulation (1)(a) and (b) may obtain a licence under these Regulations provided that they meet all the other licensing criteria specified in sub-regulation (1)(c) to (g) and provided further that they submit to the Committee, at least thirty days after the commencement of these Regulations-

(a) proof of continuous local water passenger or watersports vessel operations in Belize for a period of at least one year prior to the commencement of these Regulations, in the form of receipts, evidence of income tax and business tax returns or previous trade licences or any other evidence of a similar nature; and

(b) proof that they are competent to conduct the business of local water passenger or watersports vessel operations; and

- (c) any other requirements which the Committee may stipulate as a condition precedent to the issue of the licence.

(3) Foreign water passenger or watersports vessel operators who do not fall under the categories specified in sub-regulation (2) shall only operate in the territorial waters of Belize under special licences granted by the Committee.

(4) Any person who contravenes sub-regulation (3) commits an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a period not exceeding one year.

8. (1) A licence issued by the Committee under these Regulations:- Licences.
- (a) shall be an annual licence expiring one year after the date of its initial issue;
 - (b) shall be issued upon payment to the Board of the requisite fee in respect of the vessel as set out in the Third Schedule; Third Schedule
 - (c) shall not cover work permits, accommodation tax, customs duties or other charges and imposts;
 - (d) shall be in the form set out in the Second Schedule; Second Schedule.
 - (e) shall, unless revoked by the Committee for just cause, be renewable by the Committee upon payment to the Board by the applicant of the fee referred to in paragraph (b);
 - (f) may be issued subject to conditions, and may be

revoked by the Committee if the licence holder contravenes any term or condition set out in the licence;

(g) shall be non-transferable and non-assignable; and

(h) shall require the licence holder to observe standards which may be required by the Port Authority and the Committee from time to time.

(2) A licence granted under these Regulations may be renewed for further periods of one year on compliance with sub-regulation (1).

Duties of
licence holders.

9. (1) It shall be the duty of all operators under these Regulations-

(a) to display in a conspicuous place on his vessel a valid licence sticker issued by the Committee;

(b) to produce the licence in respect of his vessel within twenty four hours, if an authorised person demands such production;

(c) to ensure that his vessel is licensed at all times, and where a licence or a licence sticker is lost, destroyed or mutilated at least three months before the date of its expiration, to apply to the Board for a copy and to pay on such application a nonrefundable fee of five dollars.

(2) Any operator who contravenes sub-regulation (1) commits an offence and shall be liable on summary conviction to a fine of two thousand dollars or to imprisonment for a period of two months.

10. Any person who forges any licence, or has in his possession any false document which closely resembles a licence issued by the Committee with the intent of misleading the public into believing that such document is a licence, or who transfers or assigns any licence to another person, commits an offence and shall be liable on summary conviction to a fine not exceeding two thousand dollars or to imprisonment for a period of six months, or to both such fine and period of imprisonment. Offences and penalties.
11. The Belize Tourism Board (Private and Commercial Recreational Vessels) Regulations are repealed. Repeals
S.I. No. 6/1996.
12. These Regulations shall come into force on the 18th day of June, 2002. Commencement.

MADE by the Belize Tourism Board this 18th day of June, 2002.

MRS. THERESE RATH)

Chairperson

Belize Tourism Board

APPROVED by the Minister responsible for Tourism this 18th day of June, 2002.

(HON. MARK ESPAT)

Minister of Tourism and Youth

FIRST SCHEDULE (REGULATIONS 6 AND 7)

BELIZE TOURISM BOARD ACT

BELIZE TOURISM BOARD (LOCAL WATER PASSENGER AND WATERSPORTS VESSELS) REGULATIONS

APPLICATION FOR A LICENCE TO OPERATE A LOCAL WATER PASSENGER VESSEL OR A LOCAL WATERSPORT VESSEL

Particulars of Company or Owner

1. Name of Company or Owner: _____
 Address _____
 Telephone: _____ Date of Incorporation: _____
 Affiliation with other companies, groups or individuals:

2. Name of Vessel: _____
3. Length of Vessel: _____
4. Captain of Vessel: _____
5. Names and Addresses of Shareholders: _____

6. Names and Addresses of Directors: _____

7. Nature of Business: _____

(For Official Use Only)

LICENCE NO. _____ DATE: _____

Approved: _____ Not Approved: _____

DECLARATION BY APPLICANT

I/We declare that the above information is true and correct to best of my/ our

knowledge.

Owner/Operator

SECOND SCHEDULE (REGULATION 8)

BELIZE TOURISM BOARD ACT

**BELIZE TOURISM BOARD (LOCAL WATER PASSENGER
AND WATERSPORTS VESSELS) REGULATIONS**

FORM OF LICENCE

This licence is granted to _____ to operate _____
(Name of Operator) (Name of Vessel)

which has met the standards required by the Belize Tourism Board to operate
in Belizean Territorial Waters as a _____
vessel. (specify type of vessel)

This licence shall remain in force for one year and shall be subject to the
following conditions: (Specify conditions, if any)

Given under my hand this _____ day of _____ 20____.

(CHAIRPERSON)
*Local Water Passenger Vessels
and Local Watersports Vessels Committee*

THIRD SCHEDULE (REGULATION 8)

BELIZE TOURISM BOARD ACT

**BELIZE TOURISM BOARD (LOCAL WATER PASSENGER
AND WATERSPORTS VESSELS) REGULATIONS**

PART I

| TYPE OF VESSEL | FEE |
|----------------------------|------------|
| Shuttle | \$250.00 |
| WaterTaxi | \$250.00 |
| CruiseTender | \$250.00 |
| Pontoon Boats over 25 feet | \$250.00 |

PART II

| TYPE OF VESSEL | FEE |
|-----------------------|------------|
| Skiffs over 25 feet | \$200.00 |
| Party Boats | \$200.00 |
| Fan Boats | \$200.00 |

PART III

| <u>VESSEL OPERATED BY WATER SPORTS PROVIDERS</u> | <u>FEE</u> |
|---|-------------------|
| Jet Ski | \$100.00 |
| Wave Runners | \$100.00 |
| Skiffs Under 25 feet | \$100.00 |