

GOVERNMENT NOTICE NO. 270 published on 17/7/2015

THE TOURISM (TOUR GUIDES) REGULATIONS, 2015

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SCHEDULES

THE TOURISM ACT
(CAP. 65)

REGULATIONS

(Made under section 56(2)(y))

THE TOURISM (TOUR GUIDES) REGULATIONS, 2015

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as Tourism (Tour Guides) Regulations, 2015.
- Interpretation 2. In these Regulations, unless the context requires otherwise-
- Cap. 65 "Act" means the Tourism Act;
"association" means the Tanzania Tour Guide Association or a similar established entity which is recognized by the Relevant Authority;
"Director", means the Director of Tourism appointed under section 5 of the Tourism Act;
"operator" means a tourism operator;
"tour guide" means a person who leads tourists through tourist attractions by giving commentary on the history, features and significance in a tourism attraction;
"tour operator" means a person or body corporate engaged in the provision of professional services to a tourist within as well as to and from Tanzania and includes excursion and sight seeing, destination, management services, cruises and seaborne activities, reservations of accommodation, providing welcome and departure services and transfer to and from an airport services or any other point of entry.

PART II
REGISTRATION AND CONDUCT OF TOUR GUIDES

- Register of 3.-(1) The Director shall keep and maintain a register of

tour guides

all tour guides.

(2) A person who intends to operate as a tour guide shall make an application for registration to the Director in the manner prescribed in the First Schedule to these Regulations.

(3) A person who satisfies the Director that-

- (a) he is a Tanzanian citizen aged twenty one years and above;
- (b) he is enlisted under a licensed tour company, Tanzania Tour Guide Association or similar established entity which is recognized by the relevant authority;
- (c) he has secondary school education or experience of at least one year in the relevant field;
- (d) he has adequate knowledge in the field applied for;
- (e) he holds a valid first aid certificate from a recognized institution; and
- (f) he has been certified by relevant Institutions.

(4) The Director may, upon being satisfied, register an applicant and issue him a Certificate of Registration.

(5) Subject to the preceding provisions of these Regulations, a person who is registered under this regulation shall be issued an identity card.

(6) A registered tour guide may, from time to time, be required to attend courses organized by the Division of Tourism or by any recognized institution for the purpose of continued professional development.

(7) Where a Certificate of Registration has been cancelled, the certificate holder shall return it to the Director immediately after being cancelled or whenever the Director so requests.

Cancellation
of Certificate
of
Registration

4. The Director may cancel a Certificate of Registration where a certificate holder violates the terms contained in the certificate.

Renewal of a
certificate of
Registration

5. The certificate of Registration issued under these Regulations shall-

- (a) be made to the Director by the month of November of the third year of previous registration; and
- (b) be in a Form prescribed in the First Schedule.

Conditions for
issuance of
identity card

6. A person shall not be issued with the identity card as a tour guide unless he is fit to act as such and complies with the provisions of the Act.

Issuance of
identity card

7.-(1) An identity card issued under these Regulations

shall be in the form set out in the Second Schedule to these Regulations and shall be valid for a period of one year.

(2) The identity card shall expire on the 31st day of December of each year.

(3) A person who fails to renew his identity card shall cease to practice as a tour guide.

(4) The identity card shall remain the property of the Director and shall on demand or in the case of suspension or revocation be returned to the Director.

(5) A tour guide shall, at all times and while guiding or conducting an organized excursion, wear the identity card as required.

(6) A person who uses an identity card issued to another person, or who fails to return the identification card when so requested by the Director, commits an offence.

Responsibilities of a tour guide

8.-(1) A tour guide shall:

(a) conduct or guide an organized excursion in a professional manner; and

(b) accompany an organized excursion at all times, except in a free time.

(2) An organized excursion shall be conducted in accordance with the itinerary set by the operator or through other means deemed acceptable.

(3) A tour guide may, in exceptional circumstances and for valid reason, vary the itinerary.

Maximum number of persons to be guided

9.-(1) A tour guide shall not be in charge of a party of more than fifty-two persons unless he has a special written permission from the Director.

(2) Where an organized excursion is undertaken by coach, boat or other vehicle, only one tour guide shall be required for each coach, boat or such other vehicle.

Duration of organized excursion

10. An operator shall engage the services of a tour guide for any of the following excursions-

(a) a half day excursion;

(b) a whole day excursion; and

(c) a night excursion,

Provided that in particular circumstances, the operator and the tour guide may agree on a different duration.

Cancellation of

11.-(1) The engagement of a tour guide may be cancelled subject to an agreement in writing between the

Tourism (Tour Guides) Regulations

GN. No. 270 (contd.)

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Provided that in particular circumstances, the operator and the tour guide may agree on a different duration.

Cancellation of

11.-(1) The engagement of a tour guide may be cancelled subject to an agreement in writing between the

engagement
of tour guide

operator and the tour guide.

(2) Subject to sub-regulation (1), the following terms shall be deemed to form part of the agreement between the operator and the tour guide unless expressly excluded in writing-

- (a) where the operator cancels the engagement of a tour guide within less than twenty-four hours from the commencement of the organized excursion, the operator shall pay the tour guide a penalty equivalent to the fee due for such an excursion;
- (b) where a tour guide is unable to honor his part of the agreement and fails to notify the operator at least twenty-four hours prior to the commencement of the organized excursion, the tour guide shall, pay the operator a penalty equivalent to the fee due for such an excursion.

(3) The tour guide shall be exempted from payment of the penalty in sub-regulation (2)(b) where he has failed to honor his commitment on medical grounds supported by an appropriate medical certificate to be submitted to the operator within forty-eight hours of the date of the tour.

(4) A tour guide who, contravenes sub-regulations (2) and (3) commits an offence and the Director shall, upon the tour guide being convicted:

- (a) suspend or cancel the registration; and
- (b) revoke the identity card of the tour guide.

Commence-
ment and end
of organized
excursion

12. An organised excursion shall be deemed to start at the time the guide is requested to report to commence his duties and to end when the last passenger leaves the tour.

Report by tour
guide

13.-(1) After every excursion, the tour guide shall prepare a report in the Form prescribed in the Third Schedule to these Regulations.

(2) The report shall, on request be submitted to the person engaging the services of the tour guide, an association or the Director.

Collusion

14. Where an excursion is made by a tour operator, reasonable free time is allowed, no tour guide may show a preference for any particular retail outlet or direct tourists under

his charge to any particular retail outlet.

Fees for
organised
excursion

15.-(1) Where the tour guide is required to conduct an organised excursion in more than one language, he shall be paid an extra remuneration minimum of fifteen percent of the prescribed fees.

PART III

GENERAL PROVISIONS

Suspension
cancellation
of registration
and
revocation of
an identity
card

has-

16.-(1) Where the Director is satisfied that a tour guide

- (a) behaved in an improper manner with regard to his duties and responsibilities;
- (b) acted in contravention of any of the provisions of the Act or of these Regulations; or
- (c) been convicted of an offence under the Act or under these Regulations or of any other offence which in the opinion of the Director renders him unfit to continue to act as a guide or reflects adversely on the status of a guide,

the Director may-

- (i) suspend or revoke the identity card issued to such guide; and
- (ii) cancel his registration.

(2) The suspension in sub-regulation (1), shall not exceed the period of two years.

(3) Where the licence of a tour guide has been suspended in terms of sub-regulation (2), the tour guide shall not be eligible to re-apply for a licence before the lapse of the period of suspension.

(4) Where the registration of a tour guide has been cancelled in terms of sub-regulation (1) the tour guide shall be eligible to re-apply for a re-registration after the period of two years from the date of cancellation.

Representatio
n by applicant

17.-(1) Where the Director intends to suspend or cancel a registration or revoke the identity of a tour guide he shall inform the tour guide or the identity card holder, as the case may be, of its intention in writing and give him an opportunity to make his representation.

(2) A person aggrieved by any decision of the Director under this regulation, may lodge an appeal against such decision in accordance with the provisions of the Act.

Appeals

18. A person who is aggrieved by the decision of the Director to suspend or cancel or revoke his identity card, he may appeal to against the decision

Penalties

19. A person who contravenes these Regulations, commits an offence and shall on conviction, be liable:

- (a) to a fine of not less than fifty thousand shillings and not exceeding five hundred thousand shillings; and
- (b) to the penalty provided under section 45 of the Act.

The tour
guide qualities

20. Every registered tour guide shall-

- (a) at all times provide maximum support and quality services to all tourists;
- (b) give the tourists an opportunity to visit and enjoy visitors attractions;
- (c) not discriminate any tourist on any basis;
- (d) be impartial, unbiased and positive, and represent the United Republic of Tanzania objectively;
- (e) be suitably dressed and presentable at all times;
- (f) be punctual, reliable, honest, careful and tactful at all times;
- (g) be responsible for his acts;
- (h) carry out his duties to his best ability and be loyal to the company or organization that he is representing;
- (i) in case of a conflict, to settle it in a sensitive and responsible manner;
- (j) report any incident of injury or death to a nearby tourist's authority or police station;
- (k) be knowledgeable and helpful to tourists;
- (l) not provide tourists with misleading information;
- (m) in the event of not being familiar with, or being unable to provide information requested by a tourist, consult with the appropriate authorities for assistance;
- (n) not be under the influence of alcohol or a narcotic substance while on duty and shall refrain from

administering any medication to the clients without proper medical consultation;

- (o) not solicit gratuities from tourists;
- (p) be concerned for the safety of the tourists at all times;
- (q) wear an appropriate tour guide uniform identity and carry his identity card at all time while on duty; and
- (r) have respect for people, cultures and the environment:

Provided that it shall be the responsibility of a tour operator and incase of a freelance tour guide, an association responsible in that area, to ensure that prior to commencement of any activity, the tour guide complies with the provisions of items (d) and (o).

Replacement
of certificate
of registration

21.-(1) Where a registered tour guide satisfies the Director that his Certificate of Registration has been accidentally damaged or destroyed, the Director may issue, a new certificate after paying the costs prescribed under the Fee and Charges Regulations, 2015.

(2) In the event of a replacement of an identity or certificate of registration, the tour guide shall, surrender the damaged identity or certificate as the case may be to the Director.

(3) The Director may charge such fees as may be reviewed from time to time.

Matters
relating to
porters

22.-(1) A tour guide or a tour operator who intends to hire or engage the services of a porter, shall engage a porter who is a member of registered porters' association.

(2) A porter shall be paid such wage or fee depending on the-

- (a) nature of work or working environment;
- (b) weight of a luggage to be carried; or
- (c) any other circumstances:

(3) A porter shall not carry a luggage weighing more than 20 kilograms at any one time.

(4) A porter shall be paid a half of his wage at the beginning of his duty and the remaining sum immediately after completing his duty.

(5) Where it happens for a porter to lose or destroy any working gear or any thing and demanded to make good of the same, such recovery, compensation or any other deal shall not be done or reached, as the case may be, unless an association under which a porter is enlisted is fully involved over the matter.

(6) Any conflict relating to:

(a) the loss or destruction of any working gear or any other thing;

(b) any other thing relating to the services offered by the porter,

shall be referred to the association under which the porter is enlisted.

Revocation of
GN. No.230
of 2009

23. The Tourism (Tour Guide) Regulations, 2009 are hereby revoked.

SCHEDULE

Tourism (Tour Guides) Regulations

GN. No. 270 (contd.)

FIRST SCHEDULE

TOUR GUIDE

APPLICATION FORM FOR REGISTRATION/LICENCE

(Made under regulation 3)

Affixed
photo

IMPORTANT: PLEASE INDICATE WITH AN X THE RELEVANT BOX					
NEW REGISTRA- TION	RE- REGISTRA- TION/ RENEWAL	NEW IDENTITY CARD	RENEWAL IDENTITY CARD	LOSS OF LICENSE	LOSS IDENTITY CARD

PERSONAL PARTICULARS	
TITLE	DETAILS
1. Surname:	
2. First Name(s):	
3. Middle Name:	
4. Gender: MALE/FEMALE	
5. Passport size photo of the applicant: <i>(attach in the space provided)</i>	
6. Telephone numbers	
Cell:	
Office:	
Residence:	
7. Fax:	
8. E-Mail	
9. Date and place of birth	
10. Identity Number	
11. Postal Address	
12. Business Address	
13. Passport Details	
14. Birth Certificate	
15. Language competencies	
16. Proof to be attached	

APPROPRIATE TRAINING COURSES SUCCESSFULLY COMPLETED		
Module	Date and duration	Training Institution
1.		
2.		
3.		
4.		

PRACTICAL GUIDING EXPERIENCE															
Employer	Nature of experience	Date and duration	Contact person												
1.															
2.															
3.															
4.															
QUALIFICATIONS															
Name of Education Institution	Year obtained	Highest qualification													
1.															
2.															
3.															
4.															
DRIVER'S LICENSE															
Name of training institution	Year obtained	Class obtained													
Other special qualifications	Qualifications, special skills, knowledge and competencies														
	Practical experience														
	Any field of specialization (e.g. Mountain climbing, historical, heritage, and game viewing)														
APPLICATION FEES															
Paid for:		AMOUNT													
New Registration															
Re-Registration/ Renewal															
New identity document															
Renewal of Identity Card															
Loss of License															
Loss of an Identity Card															
Date:															
DECLARATION: Ido hereby declare on this.....day of..... that I am the person who is applying for registration as a hotel manager and I am holding the stated qualifications and that the information I have given is true and correct to the best of my knowledge and belief. <div style="display: flex; justify-content: space-between;"> Signature Date </div>															
FOR OFFICIAL USE ONLY															
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">APPLICATION FEES</th> </tr> <tr> <th style="width:70%;">Paid for</th> <th style="width:30%;">Amount</th> </tr> </thead> <tbody> <tr><td>New Registration</td><td></td></tr> <tr><td>Re- Registration/Renewal</td><td></td></tr> <tr><td>New identity document</td><td></td></tr> <tr><td>Renewal of Identity Card</td><td></td></tr> </tbody> </table>				APPLICATION FEES		Paid for	Amount	New Registration		Re- Registration/Renewal		New identity document		Renewal of Identity Card	
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New identity document															
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Tourism (Tour Guides) Regulations

GN. No. 270 (contd.)

Identity Card Granted/Rejected.....		Identity Card No.....	
Issued on.....		Class/Category.....	
Fees paid:		Receipt no:	
Name and Signature:			

ATTACH COPIES OF RELEVANT INFORMATION WHERE REQUIRED

SECOND SCHEDULE

TOUR GUIDE IDENTITY CARD

(Made under regulation 6(1))

ATTACH
PHOTO
HERE

Mr. /Mrs. /Miss. _____

This is to certify that the above-mentioned person of _____

(Designated location)

is hereby licensed to act as a Tour Guide in _____,

(Products: wildlife, adventure, cultural, historical)

in accordance with the provisions of the Act.

Date of issue _____ ERV No. _____

Fee paid _____

Registration/ ID. No: _____

This Identity Card expires on the 31st December, 20.....

Date _____

Signed: _____

(On behalf of DIRECTOR OF
TOURISM)

Seal Stamp.....

Note: This Document is not Transferable

THIRD SCHEDULE

REPORT WRITING FORMAT FOR TOUR GUIDES

(Made under regulation 12(1))

NAME OF THE COMPANY/ ASSOCIATION:
(If serving under the Tour Operator)

PARTICULARS OF A TOUR GUIDE:		
1.	Surname:	
2.	First Name:	
3.	Middle Name:	
4.	Gender:	
5.	Contacts:	
6.	Identity No:	
7.	Licence No.	
8.	Class/Grade:	
9.	Name Of Association	
SERVICE INFORMATION:		
1.	Duration of the Safari (<i>dates-DD/MM/YR</i>)	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">From:</div> <div style="width: 45%;">To:</div> </div>
2.	Number of Tourists Served	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">Male:</div> <div style="width: 45%;">Female:</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;">Name</div> <div style="width: 45%;">Nationality</div> </div>
3.	Places/Attractions/Sites Visited	
GENERAL REMARKS:		
<i>State circumstances that hindered you from delivering services to clients:</i>		
<i>State any difficulties encountered by your clients during the trip:</i>		
1. <i>State measures taken to help the clients overcome such difficulties:</i>		
2. <i>What did your clients enjoy most:</i>		
3. <i>What are the areas of clients dissatisfaction:</i>		
4. <i>State any other information worth reporting related to this trip:</i>		
5. <i>What are your comments for improving standard of the products visited rendered:</i>		
Name of Tour leader: Signature: Date:		
Name of Group members:..... Signature:..... Date.....		

Dar es Salaam,
06 July, 2015

LAZARO S. NYALANDU,
*Minister for Natural
Resources and Tourism*