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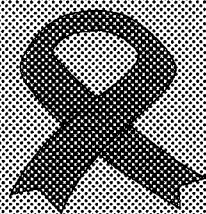
Vol. 14

NELSPRUIT, 20 APRIL 2007

No. 1428

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH



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GENERAL NOTICE

NOTICE 205 OF 2007

MPUMALANGA DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING

PUBLICATION OF TOURISM REGULATIONS FOR PUBLIC COMMENTS

I, Craig Novine Martin Padayachee, in my capacity as the Member of Executive Council for Economic Development and Planning, hereby publish Regulations made in terms of section 40 of the Mpumalanga Tourism and Parks Agency, 2005 (Act No. 5 of 2005) for public comment.

Interested persons and institutions are invited to submit written submissions on the said Regulations, to reach the Department of Economic Development and Planning, by no later than 18 May 2007.

All submissions must be addressed to:

The Head of Department
Department of Economic Development and Planning
Private Bag X11205
Nelspruit
1200

Att: Mr T N Fakude
Fax (013) 766 4614
Tel: (013) 766 4100
E-mail:tnfakude@mpg.gov.za

C N M PADAYCHEE
MEC FOR ECONOMIC DEV

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING**REGULATION NOTICE**

No. _____, 2007

MPUMALANGA TOURISM REGULATIONS, 2007

I, **Craig Novine Martin Padayachee**, Member of the Executive Council for Economic Development and Planning hereby, under section 40 of the Mpumalanga Tourism and Parks Agency Act, 2005 (Act No. 5 of 2005), make the regulations contained in the Schedule hereto after consultation with the Mpumalanga Tourism and Parks Agency and in consultation with the Executive Council of Mpumalanga, in order to further regulate the registration of tourism establishments and tourism operators within the Province.

Given under my Hand at Nelspruit this ____ day of _____, Two thousand and Seven.

C.N.M. PADAYACHEE
MEMBER OF THE EXECUTIVE COUNCIL
FOR ECONOMIC DEVELOPMENT AND PLANNING

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Definitions

1. In these regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has that meaning and -

“aircraft” means airborne craft of whatever type, whether self-propelled or not, and includes a hovercraft and a hot-air balloon;

“approved form” means a form approved in terms of regulation 2;

“first-aid kit” means a portable container which is -

- (a) water and dust resistant; and
- (b) stocked with adequate and unexpired medical supplies, equipment and remedies reasonably required for giving first aid treatment in any injury or other emergency situation, in particular situations likely to arise from the risks and dangers inherent to a particular activity offered by a regulated business;

“operator”, in relation to a regulated business, means the person -

- (a) by whom or on whose behalf the regulated business is conducted or is to be conducted, whatever may be the nature or extent of that person’s interest in the business; or
- (b) who for the time being receives or is entitled to receive the proceeds of the profits arising from the regulated business;

“recognized first-aid certificate” means a first-aid certificate issued after examination by a body or institution approved as a competent authority in terms of applicable legislation;

“registered accommodation establishment” means an accommodation establishment registered under section 33 of the Act;

“registered insurer” means a company registered as an insurer under the Long-term Insurance Act, 1998 (Act No. 52 of 1998) or the Short-term Insurance Act, 1998 (Act No. 53 of 1998);

“regulated business” means a person, concern or entity contemplated in section 31 of the Act and which needs to be registered under section 33 of the Act;

“the Act” means the Mpumalanga Tourism and Parks Agency Act, 2005 (Act No. 5 of 2005);

“vessel” means any water-navigable craft of any type, whether self-propelled or not;

“vehicle” means any conveyance which can be used for the conveyance of persons or goods on land, whether self-propelled or not.

Form of application, certificates and other documents

2.(1) Every application required to be made, and every certificate or other document required to be issued in an approved form in terms of these regulations, must be issued in the form contained in these regulations.

(2) The Agency must, at the request of a person who wishes to apply for registration in terms of these regulations, furnish that person with the appropriate application form and applicable requirements for registration.

Application for registration of regulated business

3.(1) An application in terms of section 33 of the Act for the registration of a regulated business must be made in the form as set out in Annexure 13 to the Schedule and must be accompanied by all documents specified in such form, including the non-refundable application fee as specified in Annexure 1.

(2) An application for the registration of a regulated business must further be accompanied by all approvals issued by the Municipality within which area of jurisdiction the premises of the business in respect of which the application is made, is situated.

(3) If it is proposed to provide in connection with any activity of the regulated business -

- (a) a service for the transport of persons, including passengers or clients, either as an integral part of the activity, as a courtesy service or for recreational or any other purposes, the application in terms of subregulation (1) must be accompanied by proof that the applicant has taken out general passenger / client liability insurance cover with a registered insurer for the duration of the period of registration for a minimum amount of R10 million, in respect of any person so transported;
- (b) any service for the recreation of clients to be carried out under the guidance or supervision of a staff member or any other person engaged for that purpose, the application in terms of subregulation (1) must be accompanied by proof that the applicant has taken out general public liability insurance cover, including professional indemnity cover, with a registered insurer for the duration of the period of registration for a minimum amount of R5 million.

Name under which registered regulated business may be conducted

4.(1) Subject to subregulation (2), the operator of a registered regulated business must ensure that the name under which the business is being conducted indicates or refers to -

- (a) the category of regulated business under which it is registered; and

- (b) no other category of business in conjunction with the business referred to in paragraph (a), unless such other class of business is also registered by the operator in accordance with these regulations.

(2) Notwithstanding subregulation (1), a person who, on the date of commencement of these regulations carries on a business or activity which is required to be registered in accordance with these regulations and which is being conducted under a name which does not comply with the requirements of subregulation (1), may, if that business is registered under these regulations continue to conduct the business under the name concerned for a period not exceeding 18 months after the date these regulations come into effect, whereafter the operator must duly comply with subregulation (1) in relation to that business.

- (3) A person who fails to comply with subregulation (1) or (2) commits an offence.

Requirements for registration and obligations of registered operators

5.(1) The minimum requirements for registration and the obligations to be complied with by all regulated businesses are as prescribed in the Annexures to these regulations, as follows:

- (a) Travel Agents - Annexure 2;
- (b) Tourist Guides - Annexure 3;
- (c) Tour Operators - Annexure 4;
- (d) Carriers - Annexure 5;
- (e) Tourism Training Providers - Annexure 6;
- (f) Hotels and other Accommodation Establishments - Annexure 7;
- (g) Restaurants - Annexure 8;
- (h) Conference Centres - Annexure 9;
- (i) Vehicle Rental Operators - Annexure 10;
- (j) Activity Operators - Annexure 11;
- (k) Hunting Operators – Annexure 12.

(2) The operator of a registered regulated business contemplated in subregulation (1) must, for the duration of the period for which such operator is so registered, regularly provide the service in respect of which such operator is registered: Provided that if it is not possible for such operator to provide such service for longer than 30 continuous days, the operator concerned must forthwith advise the Agency thereof in writing.

Operator or applicant to provide facilities for inspection

6.(1) Any applicant wishing to register a regulated business in respect of which an inspector seeks to carry out an inspection for any purpose mentioned in section 33(4) of the Act, must at all reasonable times afford free access to any premises, equipment, vehicles, books or records relating to the business, to the inspector.

(2) The operator of a regulated business in respect of which an inspector seeks to carry out an inspection for any purpose mentioned in section 38 of the Act, must at all reasonable times afford free access to any premises, equipment, vehicles, books or records relating to the business, to the inspector.

(3) If, in the case of an application for registration of a regulated business as contemplated in subregulation (1), the applicant fails to comply with subregulation (1), the Agency must not consider the application unless the applicant allows full inspection as required by that subregulation.

(4) If, in the case of an operator of a regulated business as contemplated in subregulation (2), the operator fails to comply with subregulation (2), the Registrar may act as contemplated in section 34 of the Act.

Supplementing of application if registration is postponed

7. If an application for registration of a regulated business is postponed by the Agency in terms of section 33(2)(b), the operator of such business must fully comply with all the requirements for registration within the period determined by the Registrar if the operator wishes to pursue the registration of that business.

Re-application if registration is refused

8. If an application for registration of a regulated business is refused by the Registrar, the operator of such business must apply afresh for registration in accordance with regulation 3 if the operator wishes to pursue the registration of that business.

Issue of certificate of registration and discs

9.(1) On approval of an application for registration of a regulated business, the Agency must duly register such regulated business and must subsequently issue to the applicant -

- (a) a certificate of registration made in the form as set out in Annexure 14 to the Schedule; and
- (b) a disc bearing the name and emblem of the Agency in respect of each vehicle to be used for the conveyance of persons in connection with any activity of that business and which disc must at least reflect the registration number of the vehicle concerned, period of validity, category of regulated business, certificate registration number of the regulated business concerned and the disc number.

(2) An operator must -

- (a) display the certificate of registration of the regulated business in a conspicuous manner at the reception area or office of any premises at which the business is conducted, or if such display is not practicable, keep the certificate of registration available for inspection on request of an inspector or any member of the public; and
- (b) display on every vehicle referred to in subregulation (1), the disc issued in respect thereof.

(3) A person commits an offence who -

- (a) uses a disc referred to in subregulation (1) on a vehicle which has not been lawfully issued in respect of that vehicle by the Agency;

(b) not being the owner of a regulated business registered in accordance with these regulations, and with the intention to deceive, uses a disc of the Agency referred to in subregulation (1)(b) without the consent of the Agency or uses a token or sign resembling a disc of the Agency issued to operators under subregulation (1); or

(c) being an operator of a registered business, fails to comply with subregulation (2).

Application to register additional regulated business

10.(1) The operator of a registered regulated business who wishes to have an additional regulated business registered, whether located on the same or any other premises, must apply to the Agency for the registration of that business as contemplated in section 33 of the Act.

(2) An application under subregulation (1) must be made in the approved form and be accompanied by -

- (a) the documents referred in regulation 3 in respect of the additional regulated business; and
- (b) the appropriate application fee prescribed in Annexure 1 for the additional regulated business.

Change of particulars of registration

11. In the event of a change –

- (a) of the ownership or name of a regulated business;
- (b) of the address of the operator of a regulated business;
- (c) of the person appointed as manager of a regulated business in terms of regulation 15; or
- (d) resulting from the acquisition of any replacement or additional vehicle, vessel or aircraft;

the operator must notify the Agency thereof, in writing, within 14 days of the date on which such change occurs.

Re-registration after withdrawal

12.(1) The operator of a regulated business of which the registration has been withdrawn by the Agency under section 34 of the Act must apply afresh for registration of the business if the operator wishes to have such business registered as a regulated business.

(2) An application referred to in subregulation (1) must be made in the manner, and be accompanied by the documents and fee contemplated in regulation 3.

Replacement certificates and discs and additional discs

13.(1) In the event of a certificate of registration of a regulated business or a disc issued in terms of regulation 9(1) being damaged, destroyed or lost, the operator of the business must apply in writing to the Registrar for the replacement of that certificate or disc.

(2) An application in terms of subregulation (1) must be accompanied by -

- (a) the damaged certificate or disc, if the application relates to a certificate or disc that has been damaged; or

(b) a sworn statement explaining the circumstances of the loss or destruction of the certificate or disc, if the application relates to a certificate or disc that has been lost, or destroyed; and

(c) the appropriate replacement fee prescribed in Annexure 1.

(3) Upon compliance with subregulation (1), the Registrar must issue to the applicant a new certificate of registration or disc pertaining to the same validity period, conditions, requirements, etc. of the original certificate or disc so replaced.

(4) In the event of the acquisition of an additional vehicle to be utilized for purposes of the regulated business concerned, or in the instance of the replacement of a vehicle in respect of which a disc has been issued, the operator must forthwith apply to the Agency for the issuing of an additional disc in respect of such additional or replacement vehicle.

Return of certificate of registration and discs

14.(1) The operator of a regulated business must return to the Agency the certificate of registration and all discs issued in respect of that business if -

- (a) the registration of the regulated business is withdrawn under section 34 of the Act;
- (b) the operator ceases to conduct the regulated business; or
- (c) the name under which the regulated business is conducted is changed and a new certificate and discs are issued by the Agency.

(2) A person who fails to comply with subregulation (1) commits an offence.

Appointment of manager

15.(1) If the operator of a registered regulated business -

- (a) is a body corporate, partnership or an association of persons; or
- (b) is an individual not personally responsible for the day to day control and management of the business,

that operator must appoint or designate a person to conduct the day to day control and management of the regulated business and, not later than 14 days after the date of registration of the business or after the date on which the operator ceases to personally manage the business, as the case may be, notify the Agency of the appointment of such manager.

(2) A notification in terms of subregulation (1) must be made in the manner, and furnish the particulars, as the Agency may determine.

(3) The operator of a regulated business may not appoint a person as manager if the person -

- (a) is not a South African citizen or not resident in Mpumalanga under a permanent residence permit or a work permit issued under the laws relating to immigration;
- (b) is an unrehabilitated insolvent; or

- (c) has, within the period of 5 years preceding the date of the proposed appointment, been convicted of an offence in respect of which he or she has been sentenced to a period of imprisonment exceeding three months without the option of a fine.

Use of logo of Agency

16.(1) Only a registered regulated business may, with the approval of the Agency, use the logo of the Mpumalanga Tourism and Parks Agency for endorsement of its business, services and facilities.

(2) The Agency may, upon granting approval under subregulation (1), specify conditions subject to which the logo of the Agency may be used or displayed by a registered regulated business.

(3) A person who contravenes subregulation (1) or the operator of a registered regulated business who fails to observe any specification of the Agency under subregulation (2), commits an offence.

Particulars on letterheads and information concerning services

17.(1) The operator of a regulated business must ensure -

- (a) that particulars of the activities, facilities and services offered to clients, as well as the tariffs charged and conditions of use in respect of those activities, facilities and services are clearly and conspicuously displayed at the reception area or office of the business and are available in a written form on request to clients or prospective clients and for inspection by the Agency or an inspector;
- (b) that all letterheads used and all advertisements, brochures, pamphlets and other material published, distributed or made available for public information, clearly indicate the regulated business or businesses in respect of which such business or businesses are registered;
- (c) that no false or misleading information is displayed, published or given in any way contemplated in paragraph (a) or (b).

(2) An operator of a regulated business who fails to comply with subregulation (1) commits an offence.

Compliance with requirements and payment of insurance premiums

18.(1) The operator of a registered regulated business must ensure that the requirements prescribed for registration in these regulations are complied with at all times during the duration of registration of that business, including requirements in respect of any service or facility that the operator has contracted out to be provided or managed by any other person.

(2) An operator of a registered regulated business who is required to take out insurance cover in accordance with regulation 3(2)(a) or (b) must -

- (a) ensure that the insurance premiums payable under the relevant policy are regularly paid on the due date; and
- (b) within 7 days after expiry of the due date, provide proof to the Registrar of the payment thereof.

(3) An operator of a regulated business who fails to comply with subregulation (2)(a) or (b) commits an offence.

Register of regulated businesses

19. The register to be kept in terms of section 31 of the Act of particulars of registered regulated businesses must be in a form approved by the Member of the Executive Council.

Client register and returns

20.(1) An operator of a registered regulated business must cause a register to be kept at the premises of the business for entering the particulars prescribed in subregulation (2).

(2) The following particulars must be entered in the register in respect of each client or booking group in respect of whom a service is provided:

- (a) citizenship or country of residence;
- (b) number of persons in a group; and
- (c) duration and extent of service provided.

(3) The operator of a registered regulated business, or if a manager is employed, that manager, must submit to the Agency, within the period and in the form determined by the Agency, quarterly returns relating to the activities, facilities and services provided by the regulated business during the previous quarter: Provided that the quarters will be calculated with effect from the date of registration of the regulated business concerned.

(4) An operator of a regulated business who fails to comply with subregulation (1), (2) or (3) commits an offence.

Marketing of tourism

21.(1) The Agency must, subject to section 4(9) of the Act, exercise and perform its powers and functions, as far as the marketing of tourism pertaining to Mpumalanga is concerned, by developing and implementing a comprehensive tourism marketing policy and programme regarding all aspects pertaining to tourism in Mpumalanga and subsequently amending such policy and programme, as and when necessary.

(2) In developing and implementing the comprehensive tourism marketing policy and programme regarding all aspects pertaining to tourism in Mpumalanga as contemplated in subregulation (1), the Agency must have due regard to –

- (a) any marketing strategy, policy, initiative or programme of the Mpumalanga Provincial Government and must ensure that the Agency's tourism marketing policy and programme are consistent with and supportive of such Provincial Government marketing strategy, policy, initiative or programme; and
- (b) the comprehensive tourism communication strategy contemplated in regulation 24(1).

(3) The Agency must annually report to the Member of the Executive Council regarding all aspects of the Agency's development and implementation of the comprehensive tourism marketing policy and programme as contemplated in subregulation (1).

Tourism development and training

22.(1) The Agency must, subject to section 4(10) of the Act, exercise and perform its powers and functions, as far as tourism development and training is concerned, by developing and implementing comprehensive tourism development and training policies and programmes regarding all aspects pertaining to tourism in Mpumalanga and subsequently amending such policies and programmes, as and when necessary.

(2) In developing and implementing the comprehensive tourism development and training policies and programmes regarding all aspects pertaining to tourism in Mpumalanga as contemplated in subregulation (1), the Agency must have due regard to any development and training strategy, policy, initiative or programme of the Mpumalanga Provincial Government and must ensure that the Agency's tourism development and training policies and programmes are consistent with and supportive of such Provincial Government development and training strategy, policy, initiative or programme.

(3) The Agency must annually report to the Member of the Executive Council regarding all aspects of the Agency's development and implementation of the comprehensive tourism development and training policies and programmes as contemplated in subregulation (1).

Tourism research and information

23.(1) The Agency must, subject to section 4(11) of the Act, exercise and perform its powers and functions, as far as tourism research and information is concerned, by developing and implementing comprehensive tourism research and information policies and programmes regarding all aspects pertaining to tourism in Mpumalanga and subsequently amending such policies and programmes, as and when necessary.

(2) In developing and implementing the comprehensive tourism research and information policies and programmes regarding all aspects pertaining to tourism in Mpumalanga as contemplated in subregulation (1), the Agency must have due regard to any tourism research and information strategy, policy, initiative or programme of the Mpumalanga Provincial Government and must ensure that the Agency's tourism research and information policies and programmes are consistent with and supportive of such Provincial Government tourism research and information strategy, policy, initiative or programme.

(3) The Agency must annually report to the Member of the Executive Council regarding all aspects of the Agency's development and implementation of the comprehensive tourism research and information policies and programmes as contemplated in subregulation (1).

Tourism communication strategy

24.(1) The Agency must, subject to section 4(12) of the Act, exercise and perform its powers and functions, as far as a tourism communication strategy is concerned, by developing and implementing a comprehensive tourism communication strategy regarding all aspects pertaining to tourism in Mpumalanga and subsequently amending such strategy, as and when necessary.

(2) In developing and implementing the comprehensive tourism communication strategy regarding all aspects pertaining to tourism in Mpumalanga as contemplated in subregulation (1), the Agency must have due regard to –

- (a) any communication strategy, policy, initiative or programme of the Mpumalanga Provincial Government and must ensure that the Agency's tourism communication strategy is consistent with and supportive of such Provincial Government tourism communication strategy, policy, initiative or programme; and

(b) the comprehensive tourism marketing policy and programme contemplated in regulation 21(1).

(3) The Agency must annually report to the Member of the Executive Council regarding all aspects of the Agency's development and implementation of the comprehensive tourism communication strategy as contemplated in subregulation (1).

Display of notice

25. The operator of every registered regulated business must ensure that the following notice is displayed at the reception area or any office or place where clients or prospective clients are served:

"This business, being registered as a regulated business under the Mpumalanga Tourism and Parks Agency Act, 2005 (Act No. 5 of 2005) is by law required to comply with certain minimum requirements relating to services, facilities and activities provided. Should you, in any way, be dissatisfied with the services provided, a complaint may be lodged, in writing, with the Chief Executive Officer, Mpumalanga Tourism and Parks Agency, PO Box 679, Nelspruit 1200 or at e-mail address: solomon.mosidi@pboard1.agric.za."

Penalties

26. (1) Any person who does not comply with any provision of these regulations, or any person who transgresses any provision of these regulations, is guilty of an offence.

(2) Any person convicted of an offence under these regulations is liable to a fine not exceeding R50 000,00 or to imprisonment, or to both such fine and such imprisonment.

ANNEXURE 1

FEEES

1. Application fees

Upon application for registration, the following fees as indicated in each instance, are payable to the Agency as contemplated in section 33(7)(c) of the Act:

Category of regulated business	Prescribed annual fee
Travel Agents.	R200,00 per Travel Agency;
Tourist Guides.	R120,00 per Tourist Guide;
Tour Operators.	R200,00 per Tour Operator.
Carrier: Bus (with a seating capacity of more than 35 passengers).	R200,00 per Bus.
Carrier: Midibus (with a seating capacity from 19 to 35 passengers).	R200,00 per Midibus.
Carrier: Minibus (with a seating capacity from 9 to 18 passengers).	R200,00 per Minibus.
Carrier: Motorized vehicle other than a bus or minibus.	R200,00 per Motorized vehicle.
Carrier: Vessel.	R200,00 per Carrier.
Carrier: Aircraft.	R200,00 per Carrier.
Carrier: Train.	R200,00 per Carrier.
Tourism Training Providers.	R200,00 per Training Provider.
Hotels	R200,00 per Hotel.
Accommodation Establishment – Backpacker and Hostelling.	R200,00 per Hostel.

Accommodation Establishment – Bed and Breakfast.	R200,00 per Bed and Breakfast Establishment.
Accommodation Establishment – Caravan and Camping.	R200,00 per Caravan and Camping site.
Accommodation Establishment – Country House.	R200,00 per Country House.
Accommodation Establishment – Guest House.	R200,00 per Guest House.
Accommodation Establishment – Lodge.	R200,00 per Lodge.
Accommodation Establishment – Self-Catering.	R200,00 per Self-Catering Establishment.
Restaurants.	R200,00 per Restaurant.
Conference Centres.	R200,00 per Conference Centre.
Vehicle Rental Operators.	R200,00 per Vehicle Rental Operator.
Activity Operators.	R200,00 per Activity Operator.
Hunting Operators.	R200,00 per Hunting Operator.

2. Operator applying for multiple registrations

If an application relates to a business comprising a combination of different categories of regulated businesses or classes of accommodation or types of activities, the application fee contemplated in paragraph 1 above, must be paid in full, in respect of each such regulated business, class of accommodation or type of activity, in respect of which an application is made.

3. Other fees

Issuing of a disc as contemplated in regulation 9 – R50,00 per disc.

Replacement of certificate of registration as contemplated in regulation 13 - R100,00 per certificate.

Replacement of disc as contemplated in regulation 13 - R80,00.

Issue of additional disc in respect of an additional vehicle as contemplated in regulation 13 – R50,00 per disc.

Issue of new certificate of registration due to change of name or category of business - R100,00 per certificate.

ANNEXURE 2

Travel Agents: Minimum Requirements for Registration and Obligations

1. For registration as a travel agent as contemplated in section 31(1)(a) of the Act, the operator of the business must, for reward, whether monetary or otherwise, provide services for making bookings or reservations for travel by air, road or sea or for accommodation at hotels or other accommodation establishments for or on behalf of tourists or any sector of the tourism industry.

2. The operator's business must be conducted from fixed premises and the operator must ensure that -

- (a) the inside and outside of all permanent buildings and structures and any grounds where clients are received or which are used by them or to which they have access, are kept in a clean and tidy condition and in good order of repair at all times; and
- (b) clients have access to separate toilets for each of the sexes.

3. Details of any insurance cover provided by a registered insurer that is obtainable through the travel agent must be made available to clients, and any client taking out any such insurance cover through the operator must be provided with the insurance policy of the registered insurer.

4. No person, concern or entity may, at any given time, be registered or retain his or her registration as a travel agent in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.

ANNEXURE 3

Tourist Guides: Minimum Requirements for Registration and Obligations

1. For registration as a tourist guide as contemplated in section 31(1)(b) of the Act, the guide must be duly registered as a tourist guide in terms of section 21A of the Tourism Act, 1993 (Act No. 72 of 1993), and must, for reward, whether monetary or otherwise, accompany any person or persons who travels within or visits any place within any part of the Province, and must furnish such person with information or comments with regard to any matter.

2. In applying to be registered as a tourist guide in terms of section 33 of the Act, the applicant must attach to the application form as set out in Annexure 13 to the Schedule, a certified copy of his or her valid registration certificate as a tourist guide issued in terms of section 21A of the Tourism Act, 1993.

3. No person may, at any given time, be registered or retain his or her registration as a tourist guide in terms of section 33 of the Act, whilst not simultaneously being the holder of a valid registration certificate as a tourist guide issued in terms of section 21A of the Tourism Act, 1993.

4. A tourist guide must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

ANNEXURE 4

Tour Operators: Minimum Requirements for Registration and Obligations

1. For registration as a tour operator as contemplated in section 31(1)(c) of the Act, the operator of the business must, for reward, whether monetary or otherwise, provide services for the planning and arranging of a combination of various tourist-related services as a cohesive programme for purchase directly from the operator or through a travel agent and includes services and facilities such as sightseeing tours, transport to tourist destination spots, guides and meals as well as the provisions of accommodation to clients for the duration of a tour in facilities provided by the operator or in registered accommodation establishments.

2. The operator's business must be conducted from fixed premises and the operator must ensure that -

(a) the inside and outside of all permanent buildings and structures and any grounds where clients are received or which are used by them or to which they have access, are kept in a clean and tidy condition and in good order of repair at all times; and

(b) clients have access to separate toilets for each of the sexes.

3. Any tour offered must be provided under the guidance of a person with appropriate training or experience to assist and advise clients.

4. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.
5. Adequate refreshments of good quality must be provided to clients during any journey along a route through remote places where facilities for food and beverages are not available.
6. If a tour includes outdoor camping, the following must be provided to clients -
 - (a) accommodation in tents or other suitable structures, each of which must be provided with -
 - (i) a camping bed for each person, fitted with a mattress or sleeping bag; and
 - (ii) appropriate means of lighting;
 - (b) a lockable container for the safe keeping of valuables of clients;
 - (c) suitable washing and cooking facilities;
 - (d) equipment and facilities reasonably required for the comfort and leisure of clients; and
 - (e) suitable toilet and sanitation facilities.
7. No person, concern or entity may, at any given time, be registered or retain his or her registration as a tour operator in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.

ANNEXURE 5

Carriers

5.1 Carrier: Bus (with a seating capacity of more than 35 passengers): Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Bus as contemplated in section 31(1)(d) of the Act, the operator of such business must, for reward, whether monetary or otherwise, provide carriage services to and from tourist attractions, for tourists, whether on or off any public road within any part of the Province.
2. The operator contemplated in paragraph 1 must, in respect of any vehicle so used for conveying tourists, ensure that no vehicle is used for that purpose unless -
 - (a) such vehicle duly complies with all relevant requirements of the applicable road traffic legislation, and which compliance will render such vehicle fit for such intended purposes;
 - (b) the vehicle bears clear identification of the operator's business on both sides of the vehicle;
 - (c) the driver of the vehicle holds a valid driving licence for the class of vehicle used as well as any permit, authorization or other approval required;
 - (d) the disc of the Agency is displayed on the vehicle as required by regulation 9(2); and
 - (e) the vehicle carries, in a readily accessible position -

- (i) a fire extinguisher; and
- (ii) first-aid kit.

3. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

5.2 Carrier: Midibus (with a seating capacity from 19 to 35 passengers): Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Midibus, as contemplated in section 31(1)(d) of the Act, the operator of such business must, for reward, whether monetary or otherwise, provide carriage services to and from tourist attractions, for tourists, whether on or off any public road within any part of the Province.

2. The operator contemplated in paragraph 1 must, in respect of any vehicle so used for conveying tourists, ensure that no vehicle is used for that purpose unless -

- (a) such vehicle duly complies with all relevant requirements of the applicable road traffic legislation, and which compliance will render such vehicle fit for such intended purposes;
- (b) the vehicle bears clear identification of the operator's business on both sides of the vehicle;
- (c) the driver of the vehicle holds a valid driving licence for the class of vehicle used as well as any permit, authorization or other approval required;
- (d) the disc of the Agency is displayed on the vehicle as required by regulation 9(2); and
- (e) the vehicle carries, in a readily accessible position -
 - (i) a fire extinguisher; and
 - (ii) first-aid kit.

3. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

5.3 Carrier: Minibus (with a seating capacity from 9 to 18 passengers): Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Minibus, as contemplated in section 31(1)(d) of the Act, the operator of such business must, for reward, whether monetary or otherwise, provide carriage services to and from tourist attractions, for tourists, whether on or off any public road within any part of the Province.

2. The operator contemplated in paragraph 1 must, in respect of any vehicle so used for conveying tourists, ensure that no vehicle is used for that purpose unless -

- (a) such vehicle duly complies with all relevant requirements of the applicable road traffic legislation, and which compliance will render such vehicle fit for such intended purposes;
- (b) the vehicle bears clear identification of the operator's business on both sides of the vehicle;

- (c) the driver of the vehicle holds a valid driving licence for the class of vehicle used as well as any permit, authorization or other approval required;
- (d) the disc of the Agency is displayed on the vehicle as required by regulation 9(2); and
- (e) the vehicle carries, in a readily accessible position -
 - (i) a fire extinguisher; and
 - (ii) first-aid kit.

3. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

5.4 Carrier: Motorized vehicle other than a Bus, Midibus or Minibus: Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Motorized vehicle other than a Bus, Midibus or Minibus as contemplated in section 31(1)(d) of the Act, the operator of such business must, for reward, whether monetary or otherwise, provide carriage services to and from tourist attractions, for tourists, whether on or off any public road within any part of the Province.

2. The operator contemplated in paragraph 1 must, in respect of any vehicle so used for conveying tourists, ensure that no vehicle is used for that purpose unless -

- (a) such vehicle duly complies with all relevant requirements of the applicable road traffic legislation, and which compliance will render such vehicle fit for such intended purposes;
- (b) the vehicle bears clear identification of the operator's business on both sides of the vehicle;
- (c) the driver of the vehicle holds a valid driving licence for the class of vehicle used as well as any permit, authorization or other approval required;
- (d) the disc of the Agency is displayed on the vehicle as required by regulation 9(2); and
- (e) the vehicle carries, in a readily accessible position -
 - (i) a fire extinguisher; and
 - (ii) first-aid kit:

Provided that in the instance of a motorcycle, including a quad bike, it will be sufficient if at least the vehicle of the operator or one of his or her employees who accompanies such clients, are equipped with such fire extinguisher and first-aid kit.

3. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

5.5 Carrier: Vessel: Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Vessel as contemplated in section 31(1)(d) of the Act, the operator of such business must, for reward, whether monetary or otherwise, use such vessel for the conveyance of tourists in connection with any activity or service provided by the business.
2. The operator contemplated in paragraph 1 must, in respect of any vessel so used for conveying tourists, ensure that no vessel is used for that purpose unless -
 - (a) fully complies with all applicable legislation and requirements pertaining to the controlling and operating of water craft / vessels;
 - (b) the body, machinery, tackle, apparatus and other accessories or equipment of the vessel or used on the vessel is in good order and functional;
 - (c) every person on board such vessel is provided with a life-jacket or other means of safety protection in the event of an emergency situation;
 - (d) in the case of a vessel used for rafting, every person on board the vessel is provided with a life-jacket and a protective helmet; and
 - (e) the person in control of the vessel has received proper training in, or has sufficient experience of, the handling of the type of vessel used as well as any permit, authorization or other approval required.
3. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

5.6 Carrier: Aircraft: Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Aircraft as contemplated in section 31(1)(d) of the Act, the operator of the business must, for reward, whether monetary or otherwise provide air charter flights to tourists for scenic tours or other recreational purposes or transport to tourist destination spots, either with or without the services of a pilot provided by the operator.
2. At the business premises or operational base of a Mpumalanga based operator -
 - (a) the inside and outside of all permanent buildings and structures and any grounds where clients are received or which are used by them or to which they have access, must be kept in a clean and tidy condition and good order of repair at all times; and
 - (b) separate toilets for each of the sexes must be provided for clients.
3. Details of any insurance cover provided by a registered insurer that is obtainable through the assistance of the operator must be made available to clients, and any client taking out any such insurance cover through the operator must be provided with the insurance policy of the registered insurer.
4. The operator must, in respect of every aircraft used to transport clients, be in possession of -
 - (a) an aircraft certificate of registration and license to the extent required in terms of applicable legislation; and
 - (b) an air worthiness certificate, issued under the Aviation Act, 1962.
5. Safety instructions in at least English must be available on the aircraft for every passenger during any flight.

6. The operator contemplated in paragraph 1 must, in respect of any aircraft so used for conveying tourists, ensure that no aircraft is used for that purpose unless the person or persons in control of such aircraft, is duly qualified as legally required to operate such aircraft and is in possession of any licence, permit, authorization or other approval required.

7. A first-aid kit must be carried in a readily accessible position on the aircraft during every flight.

8. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

5.7 Carrier: Train: Minimum Requirements for Registration and Obligations

1. For registration as a Carrier: Train as contemplated in section 31(1)(d) of the Act, the operator of such business must, for reward, whether monetary or otherwise, provide rail carriage services for tourists within any part of the Province.

2. The operator contemplated in paragraph 1 must, in respect of any such train so used for conveying tourists, ensure that no train is used for that purpose unless such train duly complies with all relevant requirements and statutory prescripts, and which compliance will render such train fit for such intended purpose.

3. The operator contemplated in paragraph 1 must, in respect of any train so used for conveying tourists, ensure that no train is used for that purpose unless the person or persons in control of such train, is duly qualified as legally required to operate such train and is in possession of any licence, permit, authorization or other approval required.

4. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of a tour, whilst having access to a first-aid kit.

ANNEXURE 6

Tourism Training Providers: Minimum Requirements for Registration and Obligations

1. For registration as a tourism training provider as contemplated in section 31(1)(e) of the Act, such training provider must be duly accredited or registered with the Tourism, Hospitality, Sport Education and Training Authority (THETA) as contemplated in the Skills Development Act, 1998 (Act No. 97 of 1998), read with the South African Qualifications Authority Act, 1995 (Act No. 58 of 1995), and must provide such training for reward, whether monetary or otherwise.

2. In applying to be registered as a tourism training provider in terms of section 33 of the Act, the applicant must attach to the application form as set out in Annexure 13 to the Schedule, a certified copy of proof of his or her accreditation or registration with THETA, as contemplated in paragraph 1.

3. No person may, at any given time, be registered or retain his or her registration as a tourism training provider in terms of section 33 of the Act, whilst not simultaneously being duly accredited or registered with THETA as contemplated in paragraph 2, and being fully compliant with the other requirements for registration as contained in these regulations.

4. A registered tourism training provider must duly comply with all obligations, conditions, responsibilities and requirements pertaining to his or her accreditation or registration with THETA.

ANNEXURE 7**Hotels and other Accommodation Establishments:
Minimum Requirements for Registration and Obligations**

1. For registration of a Hotel, the operator of such business must supply lodging and meals for reward, whether monetary or otherwise, on or in the premises concerned and such business includes a motel, inn or boatel.
2. Any person, concern or entity wishing to operate a Hotel as contemplated in section 31(1)(f) of the Act, must duly apply to the Agency as contemplated in regulation 3 for registration and must further comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Hotel, as at the date of application, and in the instance that such Hotel will offer conference facilities as part of the services provided, the applicant concerned must further ensure that such conference facilities also comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Meeting Venue, Exhibition Venue or Special Event Venue, as the case may be, as at the date of application.
3. For registration as an accommodation establishment other than a Hotel, the operator of such business must at such premises offer sleeping accommodation to the public for reward, whether monetary or otherwise, whether with or without meals.
4. Any person, concern or entity wishing to operate an accommodation establishment other than a Hotel, as contemplated in section 31(1)(f) of the Act, must apply to the Agency for registration of any one or more of the categories of accommodation establishment mentioned in paragraph 5 below, and in the instance that such accommodation establishment will offer conference facilities as part of the services provided, the applicant concerned must further ensure that such conference facilities also comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Meeting Venue, Exhibition Venue or Special Event Venue, as the case may be, as at the date of application.
5. An application for registration as contemplated in paragraph 4 must be made in respect of any one or more of the following categories of accommodation establishment and must duly comply with the requirements indicated under each such category:
 - (a) *Accommodation Establishment: Backpacker and Hostelling* – In order to register an Accommodation Establishment: Backpacker and Hostelling, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Backpacker and/or Hostelling establishment, as at the date of application;
 - (b) *Accommodation Establishment: Bed and Breakfast* – In order to register an Accommodation Establishment: Bed and Breakfast, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of Bed and Breakfast accommodation, as at the date of application;
 - (c) *Accommodation Establishment: Caravan and Camping* – In order to register an Accommodation Establishment: Caravan and Camping, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Caravan and Camping facility, as at the date of application;

- (d) *Accommodation Establishment: Country House* – In order to register an Accommodation Establishment: Country House, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Country House, as at the date of application;
- (e) *Accommodation Establishment: Guest House* – In order to register an Accommodation Establishment: Guest House, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Guest House, as at the date of application;
- (f) *Accommodation Establishment: Lodge* – In order to register an Accommodation Establishment: Lodge, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Lodge, as at the date of application;
- (g) *Accommodation Establishment: Self-catering* – In order to register an Accommodation Establishment: Self-catering, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the premises concerned duly complies with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of Self-catering accommodation, as at the date of application.

6. No person, concern or entity may, at any given time, be registered or retain his or her registration as a Hotel or other accommodation establishment in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.

7. The operator or at least one employee of a registered Hotel or other accommodation establishment must be in possession of a recognized first-aid certificate, and such person must be readily available to attend to clients for the duration of their stay at such Hotel or other accommodation establishment, whilst having access to a first-aid kit.

ANNEXURE 8

Restaurants: Minimum Requirements for Registration and Obligations

1. For registration of a Restaurant as contemplated in section 31(1)(g) of the Act, the operator of such business must supply meals for reward, whether monetary or otherwise, to the public for consumption on the premises.
2. In order to register a restaurant, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the venue and premises concerned duly comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of Food and Beverage Outlets, as at the date of application.
3. No person, concern or entity may, at any given time, be registered or retain his or her registration as a restaurant in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.
4. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must be in attendance during business hours of such registered restaurant, whilst having access to a first-aid kit.

ANNEXURE 9

Conference Centres: Minimum Requirements for Registration and Obligations

1. For registration of a Conference Centre as contemplated in section 31(1)(h) of the Act, the operator of such business must, for reward, whether monetary or otherwise, at such conference centre, provide facilities for the hosting of conferences, congresses, conventions, symposia, seminars or exhibitions, which conference centre must not form part of a hotel or another accommodation establishment.
2. Any person, concern or entity wishing to operate a conference centre as contemplated in section 31(1)(h) of the Act must apply to the Agency for registration of any one or more of the following categories of conference centre and must duly comply with the requirements indicated under each such category:
 - (a) *Conference Centre: Meeting Venue* – In order to register a Conference Centre: Meeting Venue, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the venue and premises concerned duly comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Meeting Venue, as at the date of application;
 - (b) *Conference Centre: Exhibition Venue* – In order to register a Conference Centre: Exhibition Venue, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the venue and premises concerned duly comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of an Exhibition Venue, as at the date of application;
 - (c) *Conference Centre: Special Event Venue* – In order to register a Conference Centre: Special Event Venue, the applicant must duly apply to the Agency as contemplated in regulation 3 and must further ensure that the venue and premises concerned duly comply with at least all the minimum requirements determined by the Tourism Grading Council of South Africa in respect of a Special Event Venue, as at the date of application.
3. No person, concern or entity may, at any given time, be registered or retain his or her registration as a Conference Centre in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.
4. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must be in attendance during the business hours of such registered Conference Centre, whilst having access to a first-aid kit.

ANNEXURE 10

Vehicle Rental Operators: Minimum Requirements for Registration and Obligations

1. For registration of a regulated business as a Vehicle Rental Operator as contemplated in section 31(1)(i) of the Act, the operator of the business must, for reward, whether monetary or otherwise, provide services to tourists for hiring out vehicles for travel, either with or without inclusion of the services of a driver to operate the vehicle.
2. The operator's business must be conducted from fixed premises and the operator must ensure that –

- (a) the inside and outside of all permanent buildings and structures and any grounds where clients are received or which are used by them or to which they have access, are kept in a clean and tidy condition and in good order of repair at all times; and
 - (b) separate toilets for each of the sexes must be provided for clients.
3. The operator of a vehicle rental business must ensure -
- (a) that details of services offered, conditions of rental and tariffs are clearly displayed at the premises of the business or are made available in the form of a brochure;
 - (b) that a register is kept at the business premises of all vehicles used and provided by the operator for rental purposes to clients at any given time and an operator must on request supply a copy of that register to the Agency; and
 - (c) that vehicles provided to clients under rental agreements are in a roadworthy condition at all times and comply in all respects with the provisions of the applicable road traffic legislation relating to the use of a vehicle of the particular class on a public road.
4. A rental agreement offered by an operator must contain, or be accompanied by a brochure or statement setting out information and options in relation to –
- (a) the conditions subject to which vehicles are offered for rental by the operator, which must also be explained to the client verbally, and conditions on speeding and travelling on gravel roads must be highlighted in the agreement; and
 - (b) any vehicle and travel insurance cover obtainable from registered insurers, including insurance cover for emergency medical expenses, personal accident, return of mortal remains, personal liability and other risks.
5. Upon conclusion of a rental agreement the operator must provide the client with a copy of that rental agreement containing or accompanied by the conditions applicable to the agreement.
6. Breakdown, tow-in or other roadside assistance services must be available to clients.
7. No person, concern or entity may, at any given time, be registered or retain his or her registration as a vehicle rental operator in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.

ANNEXURE 11

Activity Operators: Minimum Requirements for Registration and Obligations

1. For registration as an Activity Operator as contemplated in section 31(1)(j) of the Act, the operator of the business must, for reward, whether monetary or otherwise, provide recreational facilities, equipment and training to tourists in relation to tourist related activities, such as horse riding, air ballooning, quad biking, white water rafting or other similar activities.
2. At the operator's business premises or operational base -
 - (a) the inside and outside of all permanent buildings and structures and any grounds where clients are received or which are used by them or to which they have access, must be kept in a clean and tidy condition and good order of repair at all times; and
 - (b) separate toilets for each of the sexes must be provided for clients.

3. Equipment and facilities provided for use in connection with an activity must at all times be in good order of repair and functional: Provided that personal safety gear and equipment must be provided to clients appropriate for the risks and dangers of injury inherent to a particular activity.
4. Any activity offered for participation by clients must be provided under the guidance of a person with appropriate training or experience to advise and assist clients.
5. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate and such person must be in attendance at any place where, and for the duration that, an activity is being carried on.
6. A first-aid kit must be available in close proximity where an activity is carried out.
7. Any animal used in or in connection with an activity must be professionally trained for the type of work it is to perform and no animal must be used unless it is well maintained and in a fit and healthy condition. Animals to be handled by clients must be reliable and good natured.
8. Guidelines and instructions reasonably required for advising clients in relation to risks inherent to an activity must be provided to clients either in writing or in a formal presentation.
9. No person, concern or entity may, at any given time, be registered or retain his or her registration as an activity operator in terms of section 33 of the Act, whilst not simultaneously being fully compliant with the requirements for registration as contained in these regulations.

ANNEXURE 12

Hunting Operators: Minimum Requirements for Registration and Obligations

1. For registration as a Hunting Operator as contemplated in section 31(1)(k) of the Act, the operator of such business must be the holder of a valid hunting-outfitter permit issued in terms of section 41 of the Mpumalanga Nature Conservation Act, 1998 (Act No. 10 of 1998), and must provide such services for reward, whether monetary or otherwise.
2. In applying to be registered as a hunting operator in terms of section 33 of the Act, the applicant must attach to the application form as set out in Annexure 13 to the Schedule, a certified copy of his or her valid permit as a hunting-outfitter referred to in paragraph 1.
3. No person may, at any given time, be registered or retain his or her registration as a hunting operator whilst not simultaneously being the holder of a valid permit as a hunting-outfitter referred to in paragraph 1.
4. The operator or at least one employee of the operator must be in possession of a recognized first-aid certificate, and such person must accompany clients and be in attendance for the duration of the services rendered, whilst having access to a first-aid kit.

**ANNEXURE 13
MPUMALANGA TOURISM AND PARKS AGENCY
APPLICATION FORM FOR REGISTRATION AS CONTEMPLATED IN SECTION 33 OF THE
MPUMALANGA TOURISM AND PARKS ACT, 2005**

INSTRUCTIONS FOR THE COMPLETION OF THIS FORM

- Complete the form in full and answer all questions and initial each page.
- Write in Capital block letters.
- Where a choice is given, mark only the appropriate box with an X.
- A separate application form must be completed and submitted in respect of each category of business being applied for.
- A prescribed application fee (in crossed postal orders or cheques made out to the Agency) must accompany this application. An application not accompanied by the prescribed application fee, relevant documents and which is incomplete will **NOT BE PROCESSED**.
- A Commissioner of Oaths must certify all accompanying copies of requested documents.
- All information will be treated as confidential.
- Submission of this application does not guarantee immediate approval. Final approval will depend on a comprehensively completed application form, attachment of all relevant documentation and compliance with the minimum requirements as detailed in the Mpumalanga Tourism Regulations, 2006.
- Application forms must be submitted to:

**The Registrar
Mpumalanga Tourism and Parks Agency
PO Box X679
NELSPRUIT
1200**

In the case of renewal, indicate current registration number:

For Office use only: Registration number allocated:

1. APPLICATION FOR REGISTRATION

I, _____, ID number _____, in my capacity as _____, hereby duly apply for registration in respect of the following category of business:

- Travel agent (including travel agency, booking agency, etc.)
- Tourist Guide;
- Tour Operator;
- Carrier;
- Tourism Training Provider;
- Hotel or Other Accommodation Establishment;
- Restaurant;
- Conference Centre;
- Vehicle Rental Operator;

- Activity Operator (also complete part 6 of the form);
- Hunting Operator

The amount of R _____, is included herewith and comprises the prescribed application fee/s in respect of registration as a _____

For Office use only: Receipt number

2. PARTICULARS OF OWNER

Name of owner: _____
 ID number: _____
 Postal address: _____
 Telephone number: _____ Fax number: _____
 Citizenship: _____
 Nationality: _____

3. PARTICULARS OF MANAGER / OPERATOR

Name: _____
 ID number: _____
 Postal address: _____
 Telephone number: _____ Fax number: _____
 Citizenship: _____
 Nationality: _____

4. PARTICULARS OF THE OPERATION

4.1. Shareholding Information

Select from the following appropriate ownership status that best describes the ownership or the shareholding of the operation.

- | | |
|---|--|
| <input type="checkbox"/> Black empowerment company | <input type="checkbox"/> South African-Foreign Joint Venture |
| <input type="checkbox"/> Community-owned | <input type="checkbox"/> South African-owned international franchise |
| <input type="checkbox"/> Foreign investor | <input type="checkbox"/> South African Partnership |
| <input type="checkbox"/> Public-Private Partnership | <input type="checkbox"/> South African Sole proprietor |
| <input type="checkbox"/> International Company | |

4.2. Other particulars of the operation

Trading name: _____
 Date established: _____
 Registration number with other Statutory Bodies (National, Provincial or Local - if applicable): _____
 Company registration number: _____
 Physical address: _____
 Postal address: _____
 City / Town: _____
 District Municipality: _____
 Telephone number: _____ Fax number: _____
 E-mail address: _____ Website: _____

5. DETAILS OF EMPLOYEES

5 (a) Number and Qualifications of Full-time Employees

Gender	No formal qualification	Primary school	Secondary school	Tertiary education	Vocational training	Total
Male						
Female						
Total						

5 (b) PDI* status of employees

PDI Category	Management	Supervisory	Other Staff	Total
Blacks				
Women				
Disabled				

* PDI refers to previously disadvantaged individuals, being men of African, Asian or Coloured descent ("Blacks"), women, irrespective of descent and disabled persons, irrespective of descent.

5 (c) Employees by Nationality

Job level	South African citizens	Non-South African citizens	Total
Management			
Supervisory			
Skilled			
Semi-skilled			
Unskilled			

5 (d) Job categories of full-time Employees

Job level	Finance & Administration	Others (Specify)	Others (Specify)	Others (Specify)	Others (Specify)
	
	
Management					
Supervisor					
Skilled					
Total					

5 (e) State number of part-time or seasonal employees

Part time staff number: _____

6. PARTICULARS OF ACTIVITIES OFFERED (to be completed by activity operators)

(i) Which of the following activities do you offer?

LAND

Archaeology

Abseiling

4X4 Trails

Hiking Trails

WATER

Angling

Diving

<input type="checkbox"/>	Adventure Racing	<input type="checkbox"/>	Horse rides	<input type="checkbox"/>	fresh water fishing
<input type="checkbox"/>	Birding	<input type="checkbox"/>	Mountaineering	<input type="checkbox"/>	cave diving
<input type="checkbox"/>	Elephant trails/rides	<input type="checkbox"/>	Quad-biking	<input type="checkbox"/>	water sport
<input type="checkbox"/>	Cultural Tours	<input type="checkbox"/>	Rock Climbing	<input type="checkbox"/>	boating
<input type="checkbox"/>	Geological tours	<input type="checkbox"/>	Sand Boarding	<input type="checkbox"/>	canoeing and rafting
<input type="checkbox"/>	Caving	<input type="checkbox"/>	Stargazing		
<input type="checkbox"/>	Golfing	<input type="checkbox"/>	Scenic Drives		
<input type="checkbox"/>	Casino				AIR
				<input type="checkbox"/>	Ballooning
				<input type="checkbox"/>	Micro lighting
				<input type="checkbox"/>	Soaring
				<input type="checkbox"/>	Skydiving
				<input type="checkbox"/>	Paragliding
				<input type="checkbox"/>	Hang gliding
<input type="checkbox"/>	Other				

(ii) Specify other activity, if any:

(iii) Give a short description on the activity offered:

(iv) Indicate the duration of the activity (e.g. duration of hot air balloon ride):

(v) List the number and type of motorized equipment used (e.g. Quad bike, boat, etc):

(vi) List the number and type of non-motorized equipment used (e.g. canoes, hot air balloons, etc):

(vii) List and describe type of animals used (e.g. horses, elephants, camels, etc):

(viii) Do you make use of overnight facilities: YES NO

(ix) Give a short description of overnight facilities, if used:

7. GENERAL INFORMATION

7(a) Form of payment

Indicate form of payment that will be accepted.

- | | |
|---|---|
| <input type="checkbox"/> Foreign currency | <input type="checkbox"/> Traveller's cheque |
| <input type="checkbox"/> Credit cards | <input type="checkbox"/> Personal cheques |
| <input type="checkbox"/> Cash | |

7(b) Market details

(i) Indicate your target client profile.

- | | |
|---|--|
| <input type="checkbox"/> Younger age groups (18-35) | <input type="checkbox"/> Special interest groups |
| <input type="checkbox"/> Senior citizens only | <input type="checkbox"/> Smaller Groups (less than 6 people) |
| <input type="checkbox"/> Groups of 6 – 10 people | <input type="checkbox"/> Larger groups (more than 10 people) |
| <input type="checkbox"/> General public | <input type="checkbox"/> Other (specify: _____) |

(ii) Indicate where your target clients would primarily come from (indicate all appropriate blocks):

- | | |
|---------------------------------------|--|
| <input type="checkbox"/> South Africa | <input type="checkbox"/> SADC |
| <input type="checkbox"/> Europe | <input type="checkbox"/> Rest of the world |

7(c) Operating times

Indicate with an X the time of year when the business is primarily operational

- Seasonal: Specify: _____
- All year round

8. CHECK LIST

Please enclose the following documents:

Please tick as appropriate:

- Prescribed application fee.
- Proof of ownership or company registration.
- Proof of ID, Permanent Residence or Work Permit.
- Proof of Public Road Carrier Permit (if transporting clients).
- Proof of vehicle certificate of fitness for passenger carrying vehicles.
- Certificate of Public and passenger liability insurance inclusive of professional indemnity.
- Proof of authorization by the relevant Authority to conduct a particular activity applied for.

- Proof that vessel, airplane or other mode of transport is fit for its intended purposes.
- Proof of valid First aid certificate of staff escorting clients.
- Proof of registration with other statutory bodies / institutions (i.e. registration as a tourist guide in terms of the Tourism Act, 1993). Please specify each document attached to this application form in terms of this requirement:
 1. _____
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____
 7. _____
 8. _____
 9. _____
 10. _____
- Copy of Environmental Impact Assessment, where required by an authorized authority.
- Copy of Tax Clearance Certificate issued by SARS.
- Copy of VAT registration certificate.

9. GENERAL COMMENTS FOR CONSIDERATION BY THE REGISTRAR

I hereby certify that to the best of my knowledge that the information furnished herein is true and correct.

Signature of applicant: _____

Place: _____ Date: _____

FOR OFFICE USE ONLY

	Date	Amount received	Initials of data capturer
Date received			
Date computed			
Date of pre-qualification inspection			
Date of postponement of registration			
Date of re-submission of application in case of postponement			
Date of approval			
Date of registration			
Date registration certificate posted / handed to applicant			
Date of furnishing of reasons for rejection			

RECOMMENDATION							
Recommended for full registration		Registration postponed		Recommended for full registration subsequent to initial postponement		Application rejected subsequent to initial postponement	

REGISTRATION APPROVED

Duly registered: Yes No

Signature of Registrar

Date

OFFICIAL STAMP OF AGENCY

ANNEXURE 14

REGISTRATION CERTIFICATE

**REGISTRATION OF REGULATED BUSINESS IN TERMS OF THE
MPUMALANGA TOURISM AND PARKS AGENCY ACT, 2005**

It is hereby certified that _____,
being a regulated business as contemplated in the Mpumalanga Tourism and
Parks Agency Act, 2005 (Act No. 5 of 2005), read with the Mpumalanga Tourism
Regulations, 2006 has, with effect from _____ 20__ to
_____ 20__ been duly registered as contemplated in section 33,
read with section 31 of the Mpumalanga Tourism and Parks Agency Act, 2005,
as a _____, under registration
number _____.

**REGISTRAR: MPUMALANGA
TOURISM AND PARKS AGENCY**
DATE: _____

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