



tourism

Department:
Tourism
REPUBLIC OF SOUTH AFRICA

TOURISM DRAFT BILL, 2011

16 SEPTEMBER 2011

Purpose

- 1 To present the Tourism Draft Bill, 2011;and
2. Request inputs and comments on Draft Bill.

Current Legislative and Policy Framework

- Tourism is currently regulated by:
 - The Tourism Act, 1993
 - The White Paper on the Development and Promotion of Tourism in South Africa, 1996
- Cabinet approved NTSS
- Cabinet approved publication of Tourism Draft Bill on 26 July 2011
- Draft Bill published in GN 34506 of 5 August 2011

Review of tourism legislation

- Tourism Act, 1993 predates the Constitution and falls short on being an overarching national legislative framework
- The Draft Bill seeks to provide a legislative framework for the sustainable growth and development of tourism.

Objects

The object of the Draft Bill is to provide for:

- The development and promotion of sustainable tourism for the social, economic and environmental benefit of South Africa and for the enjoyment of all its citizens and foreign visitors.
- The effective domestic and international marketing of South Africa as a tourist destination;
- quality tourism products and services, for growth, development and transformation of the tourism sector;
- co-operation and co-ordination between all spheres of government in developing and managing tourism.

SUMMARY OF THE DRAFT BILL

The Draft Bill provides for amongst others:

- The Minister must establish and publish National Tourism Sector Strategy following a consultative process.
 - The National Tourism Sector Strategy define the strategies, objective, indicators, targets, plans, guidelines and procedures of the Minister and institutional arrangements relating to the promotion and development of tourism.
- The Minister must establish a national information and monitoring system to gather and disseminate information for the management and development of the industry
 - to the monitoring and evaluation of the industry sector.
- The Minister must establish and maintain a comprehensive database of information on tourism businesses
 - For planning and development in relation to tourism growth and development

....Cont....

- The gazetting from time to time of Norms and Standards
 - to facilitate the achievement of the objective of tourism
- Establish a Code of Conduct for any of the different sectors within the industry
- Develop and implement a national quality assurance and a grading system to promote the objects of the envisaged Act
- The continued existence of the Tourism Grading Council of South Africa as a juristic person to implement the grading system

South African Tourism Board

- The continued existence of the South African Tourism Board
 - Re-affirm and strengthen its marketing mandate
 - The requirements and the process for the appointment of board members to be brought in line with the current prescripts and government practices in promoting good governance
- Defines its functions
 - Marketing South Africa as a tourist destination
 - Establish the Conventions Bureau

Tourism Protector

The role of the Tourism Protector:

- Receive and refer complaints to:
 - Sector dispute resolution mechanism;
 - Provincial consumer protection authority or a consumer court
 - National Prosecuting Authority if a crime has been committed
 - Equality court where a person had discriminated a tourist unfairly; or
 - to another regulatory authority with jurisdiction over the complaint

Tourist Guides

- The Minister appoints the National Registrar:
 - maintains a national database of tourist guides registered by provincial registrars;
 - prepares a code of conduct and ethics for tourist guides;
 - hears and determine appeals lodged against decisions of provincial registrars;
 - monitors trends in the tourist guiding sector by conducting research and analysis; and
 - publishes or otherwise disseminate information about tourist guides, associations of tourist guides and any other information to promote develop the tourist guiding sector.

....cont....

- The MEC
 - A Provincial Registrar:
 - registers tourist guides in the prescribed manner within the province concerned;
 - maintains a register of tourist guides within the province;
 - provides the national registrar, in the prescribed manner, with all data, information and documents necessary to update and maintain the national register of tourist guides;
 - investigates and determine complaints relating to registered tourist guides;
 - disqualify any person from acting as a tourist guide, in accordance with this Act;
 - exercise disciplinary powers in accordance with this Act;
 - publishes or otherwise disseminate information about registered tourist guides and associations of tourist guides to promote and develop the tourist guiding sector; and
 - promotes and develop the tourist guiding sector within the province in any manner.

REGULATIONS

- Regulations with regards to visitor information centers,
- Manner and procedure for lodging complaints with the Tourism Protector

Transitional provisions

- ◉ South African Tourism Board
- ◉ Regulations on Tourist Guides
- ◉ Tourism Grading Council of South Africa

WAYFORWARD AND RECOMMENDATION

- Draft Bill open for comments for 60 days (find the Draft Bill on www.tourism.gov.za)
- Introduction to Parliament during the second quarter of 2012
- The Draft Bill is to be classified as a section 76 of the Constitution (affects Provinces)
- Inputs and comments on the Draft Bill to NDT Private Bag X424, Pretoria, 0001; or hand delivered to Tourism House, 17 Trevenna Street, Sunnyside, Pretoria, or Fax to: (012) 444-7101 or by email to msetwaba@tourism.gov.za.



tourism

Department:
Tourism
REPUBLIC OF SOUTH AFRICA

THANK YOU!