

Rodrigues Regional Assembly (Tourism) Regulations 2007

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RODRIGUES REGIONAL ASSEMBLY TOURISM REGULATIONS 2007

(Regulations made by the Rodrigues Regional Assembly under Section 31 of the Rodrigues Regional Assembly Act 2001 and Section 129(3) of the Tourism Authority Act 2006)

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PART I - PRELIMINARY

1. **Short title**

These regulations may be cited as the **Rodrigues Regional Assembly (Tourism) Regulations 2007**.

2. **Interpretation**

In these regulations:-

"Act" means the Tourism Authority Act 2006;

"authorised officer" means -

- (a) the Departmental Head or an employee of the Commission to whom the Departmental Head has delegated his powers;
- (b) a public officer authorised in writing for the purposes of these regulations, by the Departmental Head; or
- (c) a police officer;

"business name" means the name or style under which a business is carried out;

"chambre d'Hôte" means any premises as defined in section 1(C) in the Second Schedule to these regulations;

"Committee" means the Tourism Advisory Committee as established under regulation 3;

"Commission" means the Commission for Tourism of the Rodrigues Regional Assembly;

"Commissioner" means the Commissioner to whom responsibility for the subject of tourism is assigned;

"Court" means the Court of Rodrigues;

"Departmental Head" means the Departmental Head of the Commission responsible for the subject of Tourism;

"gîte" means any premises as defined in section 1(B) in the Second Schedule to these regulations;

"guest" means a person who is provided services in a tourist enterprise;

"guesthouse" means any premises as defined in section 1(D) in the Second Schedule to these regulations;

"hotel" means any premises as defined in section 1(A) in the Second Schedule to these regulations;

"licensee" means the holder of a licence under these regulations;

"table d'hôte" means any premises as defined in section 1(F) in the Second Schedule to these regulations;

"tour operator" means any person who, in respect of tourists and other persons, arranges for, advises on, or undertakes to provide –

- (a) travel arrangements in respect of inland travel;
- (b) accommodation;
- (c) organised excursions; or
- (d) such other facilities relating to the tourism industry as may be prescribed;

but does not include a person who -

- (i) holds a taxi licence issued under the Road Traffic Act;

- (ii) a pleasure craft licence;

"tourist" means any person who, away from his country, including from mainland Mauritius, travels within Rodrigues for a period of less than 12 months and who visits or intends to visit any place, and includes such class of persons as may be prescribed;

"tourist enterprise" means an establishment or activity specified in the First Schedule, which is run or carried on for the purpose of providing services or goods to tourists for reward, whether monetary or otherwise;

"tourist enterprise licence" means a licence issued or renewed under regulation 6;

"tourist guide" means any person, issued with a certificate for that purpose by the Commission, who accompanies a tourist in or around Rodrigues, its surrounding islands, and high seas, and who furnishes to him information or comments with regard to any matter of historical, archaeological, botanical, ethnological, cultural, social or other interest;

"tourist residence" means any premises as defined in section 1(E) in the Second Schedule to these regulations;

"travel agent" -

(a) means a person who -

- (i) sells airline or railway tickets or such other travel documents entitling a person to travel abroad or to Rodrigues, or otherwise arranges for a person's rights of passage on any conveyance abroad or to Rodrigues; or
- (ii) sells to, or arranges or makes available for, a person's rights of passage to, a hotel or other accommodation at, one or more places, being places within or outside Rodrigues; but

(b) does not include an airline company not engaged in the direct sale of tickets to the public.

PART II - TOURISM ADVISORY COMMITTEE

3. Establishment of Tourism Advisory Committee

- (1) There is established for the purpose of the Act, a Tourism Advisory Committee which shall consist of:
 - (a) The Departmental Head as Chairperson;
 - (b) 6 other persons, having wide experience in the tourism industry and related matters, to be appointed by the Commissioner.

4. Functions of the Committee

The Committee shall -

- (1) advise the Commissioner on the formulation of policies for the sustainable development of tourism in Rodrigues;
- (2) make recommendations to the Commissioner on matters relating to tourism promotion and development;
- (3) advise the Commissioner on standards for carrying out operations for tourist enterprises;
- (4) advise the Commissioner on the structure of tourist enterprise licence's fees for the tourism industry.

5. Meetings of the Committee

- (1) The Committee shall meet as often as it is necessary and at such time and place as the Chairperson may determine.
- (2) At any meeting of the Committee, 3 members including the Chairperson shall constitute a quorum.
- (3) The Committee shall regulate its meetings and proceedings in such manner as it deems fit.
- (4) The Committee may co-opt such other person as may be of assistance in relation to any matter before the Committee. The co-opted person shall have no right to vote on any matter before the Committee.

PART III - LICENSING OF TOURIST ENTERPRISES

6. Licensing of Tourist Enterprises

- (1) Subject to subsection (2), no person shall run or carry on a tourist enterprise unless he holds a tourist enterprise licence.
- (2) No tourist enterprise licence shall be required where the person who uses a pleasure craft for commercial purposes is the holder of a pleasure craft licence in respect of that pleasure craft;
- (3) Any person who wishes to obtain, renew or vary the terms of, a tourist enterprise licence shall make a written application to the Commission for Licensing in such form and manner as may be approved by the Commission and upon payment of the prescribed fee.
- (4) On receipt of an application under subsection (3), the Commission may -
 - (a) inspect any installation, premises or facility relating to the application.
 - (b) require the applicant to furnish any additional information that it considers relevant;
- (5) The Commission shall, after receipt of any additional information and after any inspection, issue a letter of intent upon payment of the prescribed fee, setting out the conditions upon which a tourist enterprise licence shall be issued to the applicant.
- (6) The Commission for Licensing shall issue a tourist enterprise licence to the applicant where all the conditions specified in the letter of intent have been complied with and subject to -
 - (a) the payment of the prescribed fee; and
 - (b) such terms and conditions as the Commission may impose.
- (7) Where the Commission agrees to renew, or vary the terms of, the tourist enterprise licence, it may do so on such terms and conditions as it may impose and on payment of such fee as may be prescribed.
- (8) Any person who contravenes subsection (1) shall commit an offence and, shall, on conviction be liable to a fine not exceeding 5,000 rupees and to imprisonment for a term not exceeding 1 year.
- (9) In the case of a second or subsequent conviction, the offender under subsection shall be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 2 years.

7. Restriction on the issue of tourist enterprise licence

No tourist enterprise licence shall be issued to a person or legal entity who -

- (a)
 - (i) has, within the 3 years preceding the date of application, been convicted of any offence involving fraud or dishonesty;
 - (ii) is a body corporate of which any director or majority shareholder has been so convicted; or
 - (iii) is a société of which a partner holding a majority of shares has been so convicted;
- (b) was, within the 1 year preceding the date of application, the holder of a tourist enterprise licence which has been revoked by the Commission;
- (c) proposes to carry on or operate a tourist enterprise under a business name or trade name which -
 - (i) by its nature, or use of it, is contrary to public order or morality;
 - (ii) is likely to deceive any person as to the nature of the enterprise;
 - (iii) is identical with, or confusingly similar to, or constitutes a translation of, a mark or trade name which is well known in Rodrigues for identical or similar services of another tourist enterprise.

8. Duration of tourist enterprise licence

A tourist enterprise licence issued shall be valid for -

- (a) 12 months as from the date of issue; or
- (b) such shorter period as may be determined by the Commission.

9. Renewal of tourist enterprise licence

- (1) An application for renewal of a tourist enterprise licence shall be made by the licensee within 3 months before the date of expiry of the licence.

- (2) Where an application for renewal is made after expiry of the licence but within a delay of 30 days, the Commission may renew the licence upon payment by the licensee of a surcharge of 10 per cent in addition to the renewal fee.
- (3) A licence shall lapse if an application for its renewal is made after 30 days from the date of its expiry.

10. Suspension of tourist enterprise licence

- (1) Where the Commission considers that the revocation of a tourist enterprise licence is not appropriate, it may -
 - (a) suspend the licence for such period as it may determine; and
 - (b) direct the licensee to take such corrective measures within such time limit as the Commission may specify.
- (2) Where the licensee complies with a direction issued under subsection (1)(b), the Commission shall restore the licence.
- (3) Where the licensee fails to comply with the direction, the Commission may revoke the licence.
- (4) Notwithstanding subsections (1), (2) and (3), the Commission may, pending proceedings for a revocation of a licence, suspend the licence forthwith where, in the interest of the public, it is urgent that the licensee immediately ceases to carry on or operate the tourist enterprise.

11. Variation or revocation of, or refusal to renew, tourist enterprise licence

- (1) The Commission may vary, revoke, or refuse to renew a tourist enterprise licence where -
 - (a) any information given to it by the licensee for the purpose of obtaining the issue of the licence is false in any material particular;
 - (b) the licensee, without lawful excuse, fails to -
 - (i) comply with a requirement of these regulations, or any standard, conditions, guideline or code of practice issued by the Commission or any direction issued under these regulations; or
 - (ii) pay any fee or charge levied in accordance with these regulations;

- (c) the licensee is convicted of an offence under these regulations;
 - (d) where the licensee has acted in a dishonourable, improper, fraudulent, dishonest, or disorderly manner, or is engaging in a violent conduct on the premises to which the licence relates;
 - (e) the licensee ceases to occupy or manage the premises to which the licence relates;
 - (f) the premises to which the licence relates cease to be suitable for the purpose for which it was licensed;
 - (g) in the case of a body corporate, any director or majority shareholder has been convicted of an offence involving fraud or dishonesty;
 - (h) in the case of a société, a majority partner has been convicted of an offence involving fraud or dishonesty;
 - (i) where by reason of the assignment, sale, transfer or disposal of any interest or share in a company or a société, there is a change in the control of that company or société;
 - (j) any of the grounds specified under regulation 7(c) is present; or
 - (k) it is in the public interest to so vary, revoke, or refuse to renew the licence.
- (2) Where the Commission has reasonable grounds to suspect that any licensee has transferred or assigned his licence or is only nominally the licensee, the Commission may refuse to renew or may revoke the licence.
- (3) Before varying, revoking or refusing to renew a licence, the Commission shall, by notice in writing require, within such reasonable time as it may deem fit, the licensee to show cause why his licence must not be varied or revoked or must be renewed.
- (4) Where the Commission varies or revokes a licence, no refund of licence fee shall be made, nor any compensation paid in respect of the unexpired portion of the licence.

12. Restriction on transfer of tourist enterprise licence

- (1) Except with the written authorisation of the Commission, no holder of a tourist enterprise licence shall assign or transfer his licence.

- (2) Where the holder of a tourist enterprise licence, being a natural person, dies or becomes incapacitated or insane, his widow, heir or representative, as the case may be, may with the consent of the Commission, carry on his business for the unexpired portion of the licence, either personally or by an agent approved by the Commission, and that person shall comply with all the conditions specified in the licence and with the provisions of these regulations.
- (3) Any person who contravenes this section shall commit an offence and, shall on conviction, be liable to a fine not exceeding 10,000 rupees.

13. Production of tourist enterprise licence

- (1) Any person or legal entity who carries on or operates a tourist enterprise shall, as appropriate,
 - (a) affix the tourist enterprise licence in a conspicuous place on the premises where the profession, trade or activity is carried out.
 - (b) at the request of an authorised officer, produce his tourism enterprise licence or a copy thereof to that officer.
- (2) Where the licensee fails to affix the tourist enterprise license where the profession, trade or activity is carried out or fails to produce his tourist enterprise licence or a copy thereof following the request made under subsection (1)(b), the authorised officer may require him to produce his tourist enterprise licence within 5 days at the office of the Commission.
- (3) Where the licensee fails to comply with a requirement made under subsection (2), he shall commit an offence and shall on conviction, be liable to pay a fine not exceeding 1,000 rupees.

14. Keeping of records

- (1) Every holder of a tourist enterprise licence shall, keep in the course of his business a true written or printed record in the English or French language, of every transaction he makes.
- (2) Every record under subsection (1) shall be kept for a period of at least 5 years after the completion of the transaction to which it relates.
- (3) Any person who contravenes this section shall commit an offence and, shall on conviction, be liable to a fine not exceeding 5,000 rupees.

15. Standards and Hours of business for tourist enterprise

- (1) The norms and standards to be met by tourist accommodations shall be as specified in the Second Schedule to these regulations.
- (2) Where the Commissioner has reasonable grounds to believe that it is necessary in the interest of the tourism industry to amend certain standards for tourist enterprises and accommodations, and the hours of business, he may set up and amend such conditions.

16. Inspection and seizure

- (1) Subject to section (2), any authorised officer may, where he has reasonable grounds to believe that any place, other than a dwelling house, is being used as, or for, a tourist enterprise in contravention of these regulations, enter with such assistance and by such force as is necessary, search the place.
- (2) A Magistrate may, on oath or solemn affirmation of an authorised officer, that there are reasonable grounds to believe that a dwelling house is being used as, or for, a tourist enterprise in contravention of these regulations, issue a warrant to that authorised officer to enter with such assistance and by such force as is necessary, to search the place.
- (3) Where an inspection is carried out under subsection (1), the authorized officer may -
 - (a) require the licensee, his employee or agent or, the person in charge of the premises to -
 - (i) produce any document or record kept by him in connection with the tourist enterprise;
 - (ii) give him all reasonable assistance and provide all information for the purposes of the inspection;
 - (b) remove any document, record or articles reasonably suspected to have been used, or intended to be used, in connection with the tourist enterprise or make copies or extracts from such document or record.
- (4) Where a document or record is removed under subsection (2), the authorised officer shall give to the licensee, or any person in charge of the business premises, a receipt signed by him giving particulars of the documents or records removed.

17. Carrying on or operating tourist enterprise after suspension

- (1) Any person who carries on or operates a tourist enterprise under a suspended licence shall commit an offence and, shall on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 1 year.
- (2) In the case of a second or subsequent conviction, the offender under subsection (1) shall be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 2 years.

18. Restriction on tourist enterprise description

- (1) No person shall -
 - (a) describe or permit any person to describe any premises;
 - (b) hold out, or permit any person to hold out, any premises, as a tourist enterprise unless there is in respect of such premises a tourist enterprise licence.
- (2) No person shall use any word together with the business name of his tourist enterprise which is likely -
 - (a) to mislead consumers as to the true business activities of the tourist enterprise;
 - (b) to be deceptive.
- (3) No person shall carry on a business under a business name which includes the words aparthotel, auberge, B&B, bed and breakfast, big game fishing, boarding house, campment, café, cafeteria, car rental, chambre d'hote, cottage, cruise, diving, eco-tourism, excursion, food & beverage outlet, gîtes, guesthouse, guide, holiday, hébergement, hostel, hotel, horse riding, inn, karting, lodge, marche sous l'eau, motel, pensionnat, parasailing, pension de famille, pub, residence, resort, resto, Rodrigues, scuba diving, spa, table d'hote, tour, tourist, travel, under-sea walk, tourist residence, peche aux gros and villa unless he holds a tourist enterprise licence.
- (4) Any person who contravenes subsection (1), (2) or (3) shall commit an offence and, shall on conviction be liable to a fine not exceeding 10,000 rupees.

19. Duplicate of licence

- (1) Where a licence is lost, defaced or rendered illegible, the Commission may issue a duplicate licence on payment of the prescribed fee.

- (2) Where a licence which has been lost is subsequently found, the licensee shall forthwith -
- (a) inform the Commission that the lost licence has been found; and
 - (b) surrender any duplicate licence issued to the Commission.
- (3) Any person who -
- (a) knowingly retains a duplicate licence in contravention of subsection (2); or
 - (b) without sufficient excuse, has in his possession an original licence and its duplicate at the same time, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 10,000 rupees.

20. Obligation to furnish particulars

- (1) Every licensee shall, when so required by the Departmental Head, within such time as may be fixed by him, give in writing such information, other than information privileged under any enactment, relating to his business as may be requested by him.
- (2) Any person who, without lawful excuse, fails to comply with a requirement made by the Departmental Head under subsection (1), shall commit an offence and, shall on conviction be liable to a fine not exceeding 10,000 rupees.

21. Restriction on number of licences

Where the Commissioner has reasonable grounds to believe that it is necessary in the public interest or public security to restrict the number of tourist enterprise licences for any particular tourist enterprise, he may direct the Departmental Head to limit the number of licences that may be issued.

PART IV - MISCELLANEOUS

22. Obstructing authorised officer

Any person who in relation to the exercise of powers conferred on an authorised officer -

- (a) refuses to allow that officer to enter any premises in pursuance of these regulations;
- (b) obstructs or impedes that officer in the exercise of any of his powers;

- (c) fails to provide assistance or information requested by that officer;
- (d) gives to that officer any information which is false or misleading, shall commit an offence and, shall on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

23. Making false and misleading statements

Any person who, in relation to an application for the grant of, or the renewal of a tourist enterprise licence, makes a statement or provide any information which he knows to be false or misleading shall commit an offence and, shall on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

24. Offences

- (1) Any person who -
 - (a) fails to comply with any condition of his licence;
 - (b) fails to comply with any rule, condition, standard, guideline or Code of Practice, issued by the Commission;
 - (c) carries on his business or operates a tourist enterprise in a manner contrary to the interests of public health, public order or public safety;
 - (d) contravenes these regulations, shall commit an offence and, shall on conviction, be liable to a fine not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.
- (2) Section 153 of the Criminal Procedure Act shall not apply to a conviction for an offence under these regulations.
- (3) There shall be an authorised officer for the purposes of prosecuting all offenders in penal matters under the Rodrigues Regional Assembly (Tourism) regulations 2007.

25. Powers of court

- (a) The Court may, after hearing all parties concerned, by way of affidavit, and their respective counsel, order the closing of any tourist enterprise which is carried on or operated on premises in respect of which no tourist enterprise licence has been obtained, or on which there has been

a contravention of the conditions of a licence or of any prescribed condition, or on which the business of a licensee has been conducted so as to be a danger to public order or public safety;

- (b) Any person aggrieved by a decision of the Commission under regulations 7, 10(3) and 10(4) and 11 except regulation 11(3), shall within 30 days of the reception in writing, to him of such decision, appeal to the Court;
- (c) The Court shall hear the matter as provided for under regulation 25(a);
- (d) The Court, upon application of the aggrieved party, may suspend the decision of the Commission until it takes a decision.

26. Travel information

- (1) For the purpose of collecting tourism information for Rodrigues, the Passport and Immigration Officer at Plaine Corail Airport and Port Mathurin seaport may require any such person to fill in such passenger information sheet as may be decided by the Commissioner;
- (2) The passenger information sheet shall ask for details about the passenger, including name, date and country of birth, nationality, occupation, permanent address, national identity card number, passport number, purpose of visit in Rodrigues and place of accommodation during stay in Rodrigues;
- (3) Any person who willfully and knowingly -
 - (a) fails to comply with paragraph (1) above;
 - (b) gives information which he knows to be false,

shall commit an offence and may be arrested until his identity is ascertained and, on conviction, shall be liable to a fine not exceeding 10,000 rupees.

27. Jurisdiction

Notwithstanding -

- (a) section 114(2) of the Courts Act; and
- (b) section 72(5) of the District and Intermediate Courts (Criminal Jurisdiction) Act, a Magistrate shall have jurisdiction to try any offence under these regulations and may impose any penalty provided by these regulations.

28. Transitional provisions

Any licence issued under the Rodrigues Regional Assembly (Licences) Regulations 2003 in respect of any tourist enterprise as boarding house, hotel and restaurant which has not expired at the commencement of these regulations shall remain valid after these regulations come into operation, on the same conditions as if these regulations had not come into operation, until the date of the renewal of the licence which shall be done under these regulations.

29. Consequential amendments

The Rodrigues Regional Assembly (Licences) Regulations 2003 is amended in the Third Schedule by:

- (a) deleting in its appropriate alphabetical order, the following -

Contractor for Yatch Chartering

Contractor of Buses (per Bus)

Contractor of Cars (per Car)

Contractor for hire of pleasure boats/pedaloos, waterskis, diving equipment and similar contrivances

Contractor for hire of motor boats up to 7.5 metres in length (per boat) for game fishing and pleasure

Contractor for hire of motor boats over 7.5 metres in length (per boat) for game fishing and pleasure

Hotels (up to 25 rooms)

Hotels (26 to 50 rooms)

Hotels (51 to 75 rooms)

Hotels (76 to 100 rooms)

Hotels (above 100 rooms)

Keeper of boarding house (up to 4 rooms)

Keeper of boarding house (5 to 10 rooms)

Restaurant registered under Hotel & Restaurant Tax Act

Restaurant Hotel

Restaurant/Boarding House

Restaurant/Night Club

Tour Operator

- (b) adding in its appropriate alphabetical order, the list of tourist enterprises and relating services as specified in the First Schedule to these regulations, with the fees payable for the activities specified.

30. Commencement

These Regulations shall come into operation on 1st January, 2008.

Made by the Rodrigues Regional Assembly on 17th, July of 2007.

FIRST SCHEDULE

(section 2)

TOURIST ENTERPRISES AND LICENCE FEE

A. Establishment		Fee
1. Tourist accommodation:		
(a)	Hotels;	
(i)	up to 15 rooms	Rs 5,000
(ii)	16 to 25 rooms	Rs 10,000
(iii)	26 to 50 rooms	Rs 15,000
(iv)	51 to 75 rooms	Rs 25,000
(v)	76 to 100 rooms	Rs 50,000
(vi)	101 rooms and above	Rs 75,000
(b)	Gîte	Rs 2,000
(c)	Chambre d'hôte.....	Rs 2,000
(d)	Guest house	Rs 2,000
(e)	Tourist residence	Rs 2,000
2. Places where food, beverages and entertainment services are provided, including:-		
(a)	Night-club.....	Rs 5,000
(b)	Restaurant (including liquor and alcoholic drinks)	Rs 3,000
(c)	Restaurant (excluding liquor and alcoholic drinks)	Rs 2,000
(d)	Table d'Hôte	Rs 1,000

B. Activity

Eco-tourism activities.....	Rs	1,000
Operating a boat house.....	Rs	1,000
Tourist guide, including those employed by a tour Operator.....	Rs	1,000
Horse Ride – per horse.....	Rs	500
Travel agent.....	Rs	2,000
Tour Operator.....	Rs	5,000

Car/Vehicle rental agencies:-

(i) Per bus/minibus.....	Rs	2,000
(ii) per car.....	Rs	1,500
(iii) per motorcycle.....	Rs	700
(iv) per bicycle.....	Rs	250

Water sports/activities including:-

(i) Pleasure craft for private purposes – per craft.....	Rs	500
(ii) pleasure craft for commercial purposes – per craft.....	Rs	1,000
(iii) big game/deep sea fishing – per boat.....	Rs	5,000
(iv) scuba diving/diving centre.....	Rs	2,000
(v) Kite Surf/Wing Surf.....	Rs	1,000

SECOND SCHEDULE

(section 15)

1. Definition and Guidelines for Tourist Accomodations

(A). Hotel

A "hotel" means any premises where (a) lodging and sleeping facilities; (b) ancillary services and amenities; and (c) breakfast, meals and refreshments at reasonable hours, are provided against payment. A hotel shall ensure that all the following guidelines are adhered to:

1. General guidelines: location and building, entrance and reception area, lounge, dining, bedroom, bathroom and toilet and kitchen.

2. Operational guidelines: garbage and pest control, house keeping and general storage, operating hours, safety and security, water and waste water, staff, finances/accounts and insurance.

(B). Gîte

A "gîte" means premises which shall comprise of a maximum of 4 independent buildings each having up to 4 bedrooms, a living room, a dining room, a kitchen, bathroom and toilet, located within a radius of 100m from the owner's residence provided for against payment and where personalized relationship with guests are ensured by the owner. A gîte shall ensure that all the following guidelines are adhered to:

- 1 General guidelines: location and building, entrance and reception area, lounge, dining, bedroom, bathroom and toilet and kitchen.
- 2 Operational guidelines: garbage and pest control, house keeping and general storage, operating hours, safety and security, water and waste water, staff, finances/accounts and insurance.

(C). Chambre d'hôte

A "chambre d'hôte" means a special room (to a maximum of 4) for guests on a nightly basis with board and lodging in the house of the owner provided for against payment. A chambre d'hôte shall ensure that all the following guidelines are adhered to:

- 1 General guidelines: location and building, entrance and reception area, lounge, dining, bedroom, bathroom and toilet and kitchen.
- 2 Operational guidelines: garbage and pest control, house keeping and general storage, operating hours, safety and security, water and waste water, staff, finances/accounts and insurance.

(D). Guest House

A "guesthouse" means any premises where lodging and sleeping facilities, and breakfast, are provided against payment. A guest house shall ensure that all the following guidelines are adhered to: -

- 1 General guidelines: location and building, dining, bedroom, bathroom and toilet and kitchen.
- 2 Operational guidelines: garbage and pest control, housekeeping and general storage, operating hours, safety and security, water and waste water, staff, finances/accounts and insurance.

(E). Tourist Residence

A "tourist residence" means any premises, other than a hotel or a guesthouse, which offers sleeping accommodation to tourists, with or without meals, for a fee. A tourist residence shall ensure that all the following guidelines are adhered to:-

- 1 General guidelines: location and building, dining, bedroom, bathroom and toilet and kitchen.
- 2 Operational guidelines: garbage and pest control, house keeping and general storage, water and waste water, finances/accounts and insurance.

(F). Table d'hôte

A "table d'hôte" means part of a dwelling house which is used to provide primarily local cuisine, refreshments and drinks, against payment of a fee and shall include a premises where there is a designated space to receive guests in the house of the owner, operating in the rural areas and for which the number of guests shall not exceed 15 persons for the purpose of favouring good and personalized relationships and where the owner shall share the meal with the guests. A "table d'hôte" shall ensure that all the following guidelines are adhered to:-

- 1 General guidelines: location and building, dining, bathroom and toilet.
- 2 Operational guidelines: insurance, water and waste water.

2. General Guidelines

1. Location and Building

The building shall be architect designed and easily accessible. Its architectural concept, designs, forms and use of material shall convey the local character. It shall be so designed as to fully integrate and fit in with the natural surroundings. It shall be kept clean, well maintained and painted and shall feature a good standard of interior decoration. It shall provide comfort and shall have a pleasant atmosphere. The grounds shall be properly fenced, landscaped, planted, well kept and free from litter. All corridors and walkways shall be covered with an appropriate noise absorbing and non-inflamn1able material shall be:

- (a) Of a minimum width of at least 1-5 metres,
- (b) Well ventilated,
- (c) Lift at all times by natural or artificial light,
- (d) Equipped with emergency light

2. Entrance and reception area

Provision shall be made for an independent entrance and reception area for guests accommodated in the establishment. The Reception shall provide the following information and facilities: safe deposit, iron and ironing board, sewing kit, adaptors, first aid and emergency kit, room charges and extra including phone, call charge shall be conspicuously displayed.

The reception shall provide for telephone on a 24 hour basis and necessary information as follows:

- (a) Map of Rodrigues
- (b) Guide of Rodrigues sightseeing
- (c) Telephone directory including yellow pages & charges
- (d) Airlines and Airport telephone numbers
- (e) Buses time table
- (f) List of restaurants, snacks, bars
- (g) Taxi, car hire service and Travel Agents
- (h) Establishment's rules and regulations
- (i) Shop/chemist address
- (j) Rates of exchange (foreign currency)
- (k) Hospitals
- (l) Comments and complaints Register

There shall be at the Reception an operational manual which shall include the following but not limited to (should be readily available on the premises for all staff to refer to:

- (a) Reservation procedures
- (b) Reservation procedures for check in and check out, registration
- (c) Standards for breakfast and dinner where applicable preparation and service
- (d) Bedroom and cleaning standards
- (e) House keeping store procedures
- (f) Emergency procedures (fire, cyclone, electricity failure, illness, contamination, etc)
- (g) Staff House rules
- (h) Billing of accounts and auditing shall be computerised
- (i) Safe procedures
- (j) Accountancy figures and statistics
- (k) Financial Reports
- (l) Purchasing and F&B Cost Control procedures
- (m) Recipes with plate presentation
- (n) Cleaning and sanitizing instructions
- (o) Itemized tasks for restaurant equipment cleaning

- (p) Ethics and behaviour table set up
- (q) Beverages and cocktails served
- (r) Guest house policies

3. Lounge

Provision shall be made for a lounge of a minimum of 10 m² for six rooms and 0.5 m² per additional room. The following facilities shall be available in the lounge:

- (a) An adequate number of armchairs and coffee tables
- (b) Radio
- (c) Games
- (d) Reading materials (including on Rodrigues)

4. Dining

Provision shall be made for a dining area directly connected to the kitchen. There shall be sufficient tables and chairs to accommodate all residents at one sitting. All tables shall be covered with textile tablecloth that shall be free from all food stains, the exception being if the tabletop is of polished wood, marble or granite or any hard surface to the satisfaction of the Commission when table mats will replace the table cloth. The tables and chairs legs shall be stable. One textile serviette should be available for each customer if dinner is served and should not be soiled or used more than once only prior to laundering. A double ply paper serviette will suffice for breakfast service. Uniform pattern of glass, cutlery and china wear (not chipped or cracked) shall be used.

The minimum continental breakfast content shall consist of cold fruit juice, hot tea, hot coffee, cold milk, fresh bread, yoghurt, dairy butter (not margarine), jam, marmalade and one serving of fruit.

The dinner, if served, shall consist of three course, accompanied with bread and butter, with a choice of two main courses (unless previously agreed with the guests in question) served with two vegetables. A vegetarian meal shall be available on request. A typed menu to be on show at reception for guest information. The menu items shall not be repeated within seven days of operations.

All ice used for food and drinks should come directly from the ice making machine or purchased in cubed or in a crushed form which are sealed in plastic when purchased. There shall be the minimum of handling of the ice prior to the service to the customer.

There shall be no chip or crack on the china/stoneware that is set or served at the table. Cutlery should be free from smears when placed on the table. The glassware shall not be cracked or chipped and shall be free from smears. Silverware or copperware that may be used for service should be polished and show no signs of tarnish. A uniform pattern of crockery, glassware and cutlery shall be set on the dining table.

5. Bedroom

The bedroom shall be of a good standard and sound proof. The minimum size (excluding toilet, bathroom, entrance, balcony and veranda) should be as follows:

- a) Single Room - 10 metre square
- b) Double Room - 10 metre square
- c) Family Room - 16 metre square

Each bedroom shall be equipped with the following:

- 1) Single bed 90 cms x 180 cms for a single room; two single beds or one double bed 140 cms x 180 cms for double room or a combination of single bed and double bed for family rooms. Bed linen and pillow cases (minimum 60% Cotton) shall be changed for each new arrival and every three days or at the request of the guest.
- 2) One fitted bedcover and one blanket per bed. The fitted bedcover and curtains shall be of matching materials.
- 3) 1 anti-allergic standard pillow per person. Extra pillows shall be available at the reception
- 4) Thick window curtains with lining or blinds
- 5) A standard sprung mattress
- 6) Fitter mattress protectors
- 7) Bedside table and lamp per guest
- 8) Ceiling or wall light
- 9) One chair per guest
- 10) Wardrobe with hangers and shelves
- 11) A full length mirror
- 12) A waste basket

- 13) Plug-in mosquito equipment
- 14) One double Power Point at table top height. Adaptors to be made available at the reception
- 15) Baby Cot on request
- 16) One drinking glass per person / guest
- 17) Emergency Exit Plan
- 18) If the room is not adequately ventilated, an electric fan should be made available

6. Bathroom and Toilet

All tourist accommodations shall be equipped with an attached toilet and bathroom of not less than 4.5 m². A solar heater with a booster or external gas/electric boiler shall provide a constant supply of hot and cold water. All bathrooms shall be provided with the following:

- 1) A wash basin with a mirror fixed at a convenient height
- 2) Shelf for personal effects
- 3) Standard built-in-bathtub or standard shower protected by a curtain
- 4) One hand towel and one bath towel of 100% cotton per person and changed for each new arrival and every three days or at the request of the guest
- 5) Bath mat
- 6) Waste basket with lid/sanitary bin
- 7) Ventilation systems as approved by Health authorities
- 8) A separate drain in the bathroom floor to avoid flooding
- 9) Lights
- 10) Towel rack
- 11) Clothing hooks

- 12) The floor of the bathroom shall be covered with on-skid tiles
- 13) The walls of the bathroom shall be covered with tiles to a minimum height of 1.5 metres
- 14) Bathroom shall be clean and kept in good conditions with adequate supply of soap. Toilet shall have adequate supply of toilet paper and sanitary bags.

7. Kitchen

The Kitchen shall consist of a cooking area of a minimum of 10 square metres. The general standards for kitchen shall be as follows:

- 1) Properly installed trapped floor drains shall be installed and shall be graded to drain any excess water left on the floor. Any drainage inside and around the kitchen shall be covered and well maintained and cleaned at all times. All floors to be tiled with non slip tiles and with a covered fitting at the wall junction which shall be painted with a non-absorbent paint.
- 2) The dry storage area shall be equivalent to 10% of the cooking area and no item shall be stored on the floor, the minimum height for storage shall be 32 cms for ease of cleaning of the storage area.
- 3) All electricity cabling shall be placed in ducts which have been duly sealed with clear silicone between the wall and the duct to prevent insects from accumulating at the back of the ducts.
- 4) There must be no overhead soil pipe crossing the kitchen or plate wash area.
- 5) Only fluorescent lighting is to be used with a clear plastic covering over the tube to prevent any glass falling on the working services or food.
- 6) All cleaning utensils such as brooms and mops etc, to be kept apart from any food production area and to be stored in an orderly manner in the storage location.
- 7) For the purpose of washing kitchen utensils, two adjacent stainless steel sinks shall be installed fitted running hot and cold water draining boards that are self draining.
- 8) All food contact surfaces shall be in stainless steel and any shelving under tile table shall be a minimum of 32 cm above floor level to prevent splashing and for ease of cleaning.
- 9) All windows and openings shall be fitted with fly proof netting and the kitchen doors shall be installed with an automatic self closing device.

10) The minimum requirements in the kitchen shall be as follows and of a good clean hygienic standard:

- An electric or gas stove with minimum two cooking rings
- Refrigerator with deep freeze facility
- Microwave oven
- Sink with hot & cold running water and a draining board which must be self draining
- An extractor/cooking hood
- Electric Kettle
- Set of two whisks of different sizes
- Set of four casserole dishes
- Six clean and unsoiled textile kitchen towels
- Colander
- Set of three wooden spoons in different sizes
- Set of four mixing bowls of various sizes
- Ten clean and covered containers should be made available for the storage of raw or prepared food
- Containers covers shall be impervious and non absorbent.
- Water jug
- Tea pot, sugar bowl anti milk jug
- Condiment set
- Set of 6 cooking utensils
- Set of four saucepans (non stick, stainless steel)
- Non stick frying pan
- Cork screw and bottle opener
- Measuring jug
- Set of six kitchen knives of various sizes
- Cutlery tray
- Four stainless steel serving spoons
- Small stainless steel containers
- Facilities to make ice shall be available at all times and ice shall be available for any new arrival

C. Operational Guidelines

1. Garbage and Pest control

Garbage and refuse to be kept in a durable and easily cleaned, insect and rodent proof, that does not leak or absorb liquids. Wet strength plastic bags to be used to line the containers and the containers to be kept covered at all times with a fitting lid. The plastic bags should be tightly sealed to prevent any spillage, ready for disposal on daily basis. A sufficient number of containers to hold all refuse and garbage that may accumulate shall be made available. The containers shall be cleaned inside and outside on a daily basis. Garbage and refuse shall be disposed of on a daily basis to prevent odors, insects and rodents. Refuse should not be burned on or around the premises. A regular pest control programme shall be undertaken in place.

2. House keeping and General Storage

All food and beverages, stores and supplies, items and equipment shall be kept in a separate store from other products such as chemical products cleaning supplies, towels and linen. The store shall be kept locked at all times and a stock card or an inventory sheet shall be kept. Laundry and ironing facilities shall be made available. Washing and drying of linen may be carried out on or off the premises; in case these operations are carried out on tile premises, a specific enclosed area shall be provided. Clothes lines shall be placed at the back of the house.

3. Operating Hours

Tourist enterprises should operate all year round. For hotels, gîte and chambre d'hote, the establishment shall operate on a 24 hour basis from 07.00 hours to 21.00 hours under supervision/staff on duty and from 21.00 hours to 07.00 hours with supervision on call (residing on the premises). The check-in time shall be 13.00 hours or earlier if room is available and the check-out time at 12.00 hours.

Breakfast shall be served as from 07.00 hours to 10.00 hours or for a minimum of 2 hours. Establishments offering half board shall serve dinner from 19.00 to 21.00 hours or a minimum of 2 Hours. Lounge facilities shall be available up to 23 hours with T.V and Games.

4. Safety & Security

The premises shall be equipped with all necessary safety and security systems, inclusive of the following:

- (1) Each bedroom shall be numbered and fitted with lockable doors with keys. The door shall be fitted with appropriate security devices so as to ensure maximum security for persons accommodated inside.

- (2) All electric facilities shall be properly installed and maintained in accordance with local electrical safety laws. No electrical appliance to be fitted in the bathroom/shower except shaver socket of 120 volts.
- (3) Fire fighting equipment, fire exit and fire notices shall meet the requirements of the Fire Authorities. All equipment shall be maintained in working conditions at all times. All staff members shall be trained in basic fire fighting techniques and a nominated member shall be a fire warden.
- (4) It is advisable that promoter has a stand by generator.
- (5) A proper first aid kit shall be provided. At least one certified and nominated member of the staff should be available to provide first aid.

5. Water & Waste water

A three day supply of safe drinking water shall be always kept on stock within the establishment. A supply of running water for the purposes of toilets, bathrooms, cleaning and kitchen use shall always be at hand on the premises. Waste water system shall meet the requirements of the Health authorities.

6. Staff

Hotels, gîtes and chambre-d'hotes shall be under the control of a trained and qualified supervisor at all times who shall be capable of carrying out the functions of reception, administration, house keeping and caterer. All staff members shall be multi-skilled. Establishments of up to 10 rooms should be staffed by one supervisor, one senior attendant and one attendant which may be employed as part time.

All staff shall be trained to guarantee good standard of service, cleanliness and courtesy. Training should be provided in food handling, reception, reservation, first aid, cashiering, housekeeping, customer care, communications skills and hygiene.

All staff shall wear clean uniform and clothes. Owners shall decide on type and style of uniforms. Soiled clothes linens, uniforms shall be stored in a non-absorbent containers and kept out of eyesight of the guest.

All staff working in any establishment that serves food shall not use tobacco in any form whilst on premises and shall wear hair restraints to prevent contamination of food or food contact surfaces.

Staff changing facilities and toilets must not open directly on to the food preparation area. It is forbidden to use the changing and toilet facilities as storage areas for any type of food, beverage and cleaning items. Changing room or toilet doors must be self-closing and shall be closed at all times. At least one room shall be allocated and provided with showers, towels, toilet and lockers.

7. Finances/Accounts

Documents such as the following shall be made available for inspection:

- 1) Budget for the current financial year
- 2) Monthly records of income and expenses (copy of bills, invoices)
- 3) Guests register and records
- 4) Daily plan of occupied rooms
- 5) Daily/monthly summary of sales
- 6) Wages book, Creditors and Debtors book
- 7) Cash book
- 8) Electronic book keeping as long as back up soft copies are available
- 9) All billing for the guests at the sales points should be from a computerized system

8. Insurance

The tourist enterprises shall be covered by a comprehensive insurance policy covering life of the people.