

S. I. 76 of 2019

TOURISM DEVELOPMENT ACT, 2019

(Act 8 of 2019)

**Tourism Development (Vertical Integration)
Regulations, 2019**

In exercise of the powers conferred by section 18 of the Tourism Development Act, the Minister responsible for Tourism makes the following regulations —

1. These regulations may be cited as the Tourism Development (Vertical Integration) Regulations, 2019.

Citation

2. In these regulations, unless the context otherwise requires, —

Interpretation

“Ownership” means the exclusive right conferred by law to enjoy, occupy, possess, rent, sell or use a property;

“Seychellois owned” means a company or sole trader in which 100% shares of the company, including all assets, are held by Seychellois citizens;

“beneficial interest” means having control in the company or rights to receive gains through ownership or any other means.

3.(1) A tour operator, or a person with beneficial interest in a tour operator, can own or operate an accommodation establishment provided that the aggregate number of rooms is not more than 150 rooms.

Ownership of accommodation establishments and tour operators

(2) All tour operators shall be required to sign an affidavit while making an application for or renewal of a

license to Seychelles Licensing Authority to the effect that the applicant or any member of applicant's managerial staff or, where the applicant is a firm or company, any of its partners, directors, or shareholders does not have beneficial interest in an accommodation establishment having not more than 150 rooms in the aggregate.

Ownership of
accommodation
establishments
hirecraft

4.(1) Subject to recommendations of relevant Ministries, an accommodation establishment or a person who has beneficial interest in an accommodation establishment on Mahe, Praslin and La Digue may own or operate one boat with a maximum of 12 seats as hire craft.

(2) The accommodation establishments located on islands other than Mahe, Praslin and La Digue are exempted from the restriction on the number of boats and seating capacity of the boat.

(3) Accommodation establishments on islands other than Mahe, Praslin and La Digue, or where it is not serviceable by a public transport system, are allowed boats as necessary means of transport, subject to meeting the requirement and approval of the Ministry and other regulatory bodies.

(4) Subject to sub-regulation (3), an accommodation establishment shall have a quota of 2 boats for the first 25 rooms or part thereof with an extra boat for each additional full stock of 25 rooms.

(5) One boat over and above the restriction stipulated in sub-regulation (4) shall be allowed for staff transfer.

Ownership of
accommodation
establishments
and dive centre

5.(1) An accommodation establishment of 24 rooms or less, or a person with beneficial interest in an accommodation establishment of 24 rooms or less may operate only 1 dive centre.

(2) Subject to sub-regulation (1), the accommodation

establishment shall be 100% Seychellois owned, to operate a dive centre.

(3) Accommodation establishments located on Silhouette, Fregate and North Islands shall be exempted from the restriction stipulated in subregulations (1) and (2).

6.(1) An accommodation establishment may offer non-motorised water sports on a complimentary basis to its clients from its premises.

Accommodation establishments offering non-motorised water sports

(2) An accommodation establishment may contract out a non-motorised water sport business where the operator is a Seychellois.

(3) Notwithstanding sub-regulation (1), accommodation establishments located on islands other than Mahe, Praslin and La Digue may provide non-motorised water sports to their clients.

7.(1) An accommodation establishment may provide motorised water sport activities if it is within the demarcated areas and the same shall be contracted out to a Seychellois.

Accommodation establishments offering motorised watersports

(2) Notwithstanding sub-regulation (1), accommodation establishments located on islands other than Mahe, Praslin and La Digue are exempted from the requirement stipulated under sub regulation(1).

8. Five star accommodation establishments may own a maximum of 2 chauffer driven courtesy cars for use of the clients of the accommodation establishments as complimentary service in accordance with the specifications set by the Department of Transport.

Accommodation establishments offering courtesy chauffer driven cars

9.(1) Accommodation establishments of more than 5 rooms are not allowed to own a bicycle business, directly or indirectly, on La Digue.

Accommodation establishments offering bicycle hire

(2) On Mahe and Praslin, accommodation establishments are allowed to offer bicycle facility to their clients, as a complimentary service, or as an added value to their package.

Retail outlets
in Seychelles

10.(1) Large accommodation establishments shall make available shops or retail outlets located on the accommodation establishment premises to local entrepreneurs selling local products.

(2) Subject to subregulation (1), accommodation establishments with more than one shop or retail outlet shall ensure to lease out at least one shop or retail outlet to local entrepreneurs.

(3) Accommodation establishments with only one shop or retail outlet shall ensure that local products are available in the shop.

Ownership of
tour operators
and hire
craft

11.(1) A tour operator or a person with beneficial interest in a tour operator may own or operate a maximum of 5 boats.

(2) Hire craft used by the tour operator may be a combination of glass bottom boats, boat charter operations, or yachts or live aboard services.

(3) A person with beneficial interest in both a tour operator and an accommodation establishment shall not be allowed to operate more than 5 hire crafts.

Ownership of
tour operators
and
restaurants

12.(1) A tour operator, or a person with beneficial interest in a tour operator, is allowed to own or operate one standalone specialty restaurant.

(2) For the purpose of sub regulation (1), specialty restaurant refers to a restaurant that specialises in a particular cultural cuisine including but not limited to Italian Restaurant, Chinese Restaurant or Indian Restaurant.

13. A tour operator may, directly or indirectly, own or operate an inter-island ferry service, provided that it does not exceed the maximum capacity of 1450 seats in the total fleet.

Ownership of
tour operators
and ferry

MADE this day 20th of December, 2019.

**DIDIER DOGLEY
MINISTER OF TOURISM, CIVIL AVIATION,
PORTS AND MARINE**
