

S.I. 103 of 2020

TOURISM DEVELOPMENT ACT, 2019

*(Act 8 of 2019)***Tourism Development (Vertical Integration)
(Amendment) Regulations, 2020**

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) (Amendment) Regulations, 2020.

Citation

2. The Tourism Development (Vertical Integration) Regulations, 2019 are amended as follows —

Amendment of
S.I. 76 of 2019

(a) in regulation 2 —

(i) by repealing in the definition of ‘Ownership’ the words “use a property” and substituting therefor the words “use property”;

(ii) by repealing in the definition of ‘beneficial interest’ the word “gains” and substituting therefor the word “benefits”;

(b) in regulation 3 —

(i) by repealing sub-regulation (1) and substituting therefor the following sub-regulation —

“(1) A tour operator, or a person with beneficial interest in a tour operator, may own or operate accommodation establishments provided

that the number of rooms is not more than 150.”;

(ii) in sub-regulation (2) —

(A) by inserting after the words “renewal of a licence to” the word “the”;

(B) by inserting after the words “or any member of” the word “the”;

(C) by repealing the words “in the aggregate”;

(c) in regulation 4 —

(i) in sub-regulation (2)—

(A) by repealing the words “islands other than Mahe, Praslin and La Digue” and substituting therefor the words “all outer islands”;

(B) by inserting after the words “seating capacity of the boat” the words “operated as hire craft”;

(ii) by repealing in sub-regulation (3) the words “where it is not serviceable by a public transport system, are allowed” and substituting therefor the words “where these establishments are not served by a public transport system, may operate”;

(iii) by repealing in sub-regulation (5) the words “staff transfer” and substituting therefor the words “staff transfers”;

(d) in regulation 5 —

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- (i) by repealing in sub-regulation (1) the word “less’ at both the places it appears and substituting therefor the word “fewer”;
- (ii) by repealing sub-regulation (2) and substituting therefor the following sub-regulation —
- “(2) Subject to sub-regulation (1) in order to operate a dive centre, the accommodation establishment shall be 100% Seychellois owned.”;
- (iii) by repealing in sub-regulation (3) the words “North Islands” and substituting therefor the words “North Island”;
- (e) by repealing regulation 6 and substituting therefor the following regulation —
- “6.(1) An accommodation establishment may contract out a non-motorised water sports business where the operator is a Seychellois.
- (2) Notwithstanding sub-regulation (1), where an accommodation establishment cannot contract out to Seychellois operator, the accommodation establishment may offer non-motorised water sports activities from its premises on a complimentary basis to its clients.”;
- (f) by repealing regulation 8 and substituting therefor the following regulation —
- “8.(1) Five star accommodation establishments, may own a maximum of 2 chauffer driven courtesy cars for use of clients

of the accommodation establishments, as a complimentary service in accordance with specifications set by the Department of Transport.

(2) The use of the complimentary cars shall be solely for transport to and from the airport.”;

(g) in regulation 9(1) —

(i) by repealing the words “are not allowed to own” and substituting therefor the words “may not own”;

(ii) by repealing the words “, on La Digue”;

(h) by repealing in regulation 10(2) the words “ensure to”;

(i) in regulation 11 —

(i) by repealing in sub-regulation (1) the words “5 boats” and substituting therefor the words “5 hire craft.”;

(ii) by repealing sub-regulation (2) and substituting therefor the following sub-regulation —

“(2) Subject to sub-regulation (1), hire craft used by the tour operator may be a combination of glass bottom boats, boats for charter, or yachts or live aboard services.”;

(iii) by repealing in sub-regulation (3) the words “5 hire crafts” and substituting therefor the words “5 hire craft”;

- (j) by repealing in regulation 13 the words “it does not” and substituting therefor the words “this does not”.

MADE this 20th day of August, 2020.

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