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**THE TOURISM AND TRAVEL OFFICES
AND TOURIST GUIDES
REGULATIONS, 2012**

(English translation)

**Office of the Law Commissioner
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P.I.231/2012

THE TOURISM AND TRAVEL OFFICES AND TOURIST GUIDES LAW

Regulations made under section 22

41(I) του 1995
9 (I) του 1997
69 (I) του 1997
98 (I) του 1998
68 (I) του 2001
71 (I) του 2003
198 (I) του 2004
83 (I) του 2012.

In exercise of the powers vested in it by section 22 of the Tourism and Travel Offices and Tourist Guides Law, the Council of Ministers makes the following Regulations.

PART I

INTRODUCTORY PROVISIONS

Short title.

1. These Regulations may be cited as the Tourism and Travel Offices and Tourist Guides Regulations, 2012.

Interpretation.

2.-(1) In these Regulations, unless the context otherwise requires-

«Director-General» means the Director-General of the Organization;

41 (I) του 1995
9 (I) του 1997
69 (I) του 1997
98 (I) του 1998
68 (I) του 2001
71 (I) του 2003
198(I) του 2004
83 (I) του 2012.

«Law» means the Tourism and Travel Offices and Tourist Guides Law and includes any law amending or substituted for the same.

(2) Terms, the meaning of which is not specifically defined by these Regulations, shall have the meaning assigned to them by the Law.

PART II

TOURISM AND TRAVEL OFFICES

Licence to establish and operate an Office and branch.

3.-(1) The licence to establish and operate an Office issued according to section 4 of the Law shall be issued in the form set out in the First Table.

First Table. (2) The licence to establish and operate an Office shall be issued in the form set out in the First Table.

Second Table. (3) The licence to establish and operate a branch-office shall be issued in the form set out in the Second Table.

Submission of fees. Third Table. 4. The entrepreneur shall be bound to submit to the Organization the relevant fees which are set out in the Third Table for the issue or renewal of a licence to establish and operate an Office or the change of registered office or business address or manager or the name of the Office.

Office specifications. 5.-(1) Every Office shall be of an area of at least 20 sqm, have a common lavatory equipped with a wash basin, as well as satisfactory furniture and decoration.

(2) The provisions of paragraph (1) with regard to the area and lavatory do not apply in case of a branch-office intended to operate as a store within a hotel business establishment or port or marina or airport or multistore.

(3) Notwithstanding the provisions of paragraphs (1) and (2), the Board of Directors may, following a duly reasoned suggestion of the Director-General of the Organization, approve limited relaxations on the building and other prescribed prerequisites referred to in paragraphs (1) and (2).

Matters which concern applications for a licence for the establishment and operation of Offices. 6.-(1) In relation to matters concerning sections 5 and 7 of the Law, the Organisation shall issue circular directions for every matter which concerns-

- (a) the items and documents submitted for the issue of a licence;
- (b) the deposit of a guarantee;
- (c) the required office installation and administration of Offices;
- (d) the keeping of a register and any other books, documents or forms of Offices.

(2) A licence granted by virtue of section 4 of the Law shall be linked both to the entrepreneur and to the manager of the Office.

(3) Any valid licence issued shall cease to be in force on the termination of business or the death of the entrepreneur or where the entrepreneur is a legal person upon its dissolution:

Provided that in case of expiration of the licence due to the death of the entrepreneur natural person, the executor of the will or the administrator of the estate of the deceased may continue the operation of the Office for a period not exceeding twelve months from the death of the said entrepreneur, provided that a manager's services are secured by virtue of section 5 of the Law, unless in the meantime a new licence of operation is secured in accordance with the provisions of the Law and these Regulations.

Matters which concern forfeiture of guarantee of the Office.

7. The necessary evidence and documents provided in subsection (3) of section 11 of the Law which must accompany a pronounced claim shall be the following:

- (a) a certified copy of the Court's judgment;
- (b) a certified copy of statement of claim whereby judgment was

made indicating that the claim of the plaintiff arises from tourist transactions;

(c) confirmation from the respective Court Registrar or from the lawyer of the plaintiff that an Order for a stay of execution of the judgment has not been made by any Court or that no other litigation is pending such as appeal or application to set aside judgment of first instance .

Forms and
name of the
Office.

8.-(1) Every form of the Office of any kind such as correspondence paper, receipts, notes, advertising brochures and excursion schedules of the Office, must clearly indicate the name and the address of the Office, as well as the name of the entrepreneur as identified in the licence to establish and operate the same.

(2) The content of every form shall refer in detail and analytically to the services provided by each Office and there shall be prohibited to include any misleading information or any information which may lead to misrepresentation.

(3) The provisions of paragraphs (1) and (2) shall also apply to advertisements of any type.

(4) The right of ownership and use of the name of the Office in the Republic shall vest in the entrepreneur of an Office and in case of transfer of the Office the right over the name shall also be transferred.

(5) In case of cessation of the operation of the Office, the entrepreneur shall preserve the right of ownership over the name for a period of eighteen months during which he may use the said name again for the same Office or where it has finally ceased to operate as

an Office, for another Office subject to the approval of the Organization.

Office-branches.

9.-(1) Every branch-office shall operate under the name of the Office, at the address where the branch is situated.

(2) The Office shall be fully liable for any act or omission and transaction of its branch, which falls within its field of activities in accordance with the provisions of the Law and these Regulations.

Obligations of Offices.

10.-(1) It shall be prohibited either by the entrepreneur or the manager of the Office –

(a) to use non-licensed establishments for the purpose of stay of customers;

(b) to use non-licensed tourist guides for the purpose of organising excursions and sightseeing tours and/or tour guiding of customers;

(c) to use non-licensed Offices for the purpose of tourist transactions;

(d) to use tourist representatives and/or escorts as tourist guides;

(e) to urge and incite towards acceptance or refusal of travel or transport service which the same Office or other Office provides or services of dining or recreation or of a tourist establishment or products of a trading shop through looking for customers;

(f) to transport nationals or foreign sightseers or visitors without being arranged by an organised excursion or sightseeing tour:

Provided that the transportation of clients to and from ports and

airports shall be exempt from the present prohibitive provision.

(g) to violate any other conditions which the Board of Directors may prescribe.

(2) The entrepreneur or the manager of the Office shall be responsible for:

(a) the perfect maintenance of the spaces, furniture and equipment of the Office;

(b) the immaculate state of all spaces of the Office from the point of cleanliness;

(c) the rendering of quick and high quality service in all departments of the Office;

(d) the supply of the services offered and advertised by the Office;

(e) the placement of a tourist guide in every organised sightseeing tour.

(3) The escort by a tourist guide shall not be obligatory in the following cases:

(a) in groups of sightseers whereby the visit/sightseeing does not include archaeological sights, museums, churches of historical content, monuments and works of art which are connected with the Cyprus civilisation, natural monuments and contemporary issues which concern the Republic;

(b) in cases of walk paths, cycling, motorbikes, horse riding;

(c) transportation of persons from the place of arrival in the Republic to their place of residence and vice-versa and from their place of residence to the recreation clubs and entertainment or trading shops and vice-versa, provided that during the transportation no in between transport shall take place, visit or tour to the places which are included under the term organised excursion.

Supervision
and control
of Offices.

11.-(1) The supervision and control as to the observance by the Offices of the provisions of the Law and these Regulations shall be exercised by the Organization through its officers.

(2) For the purposes of carrying out its powers under the Law and these Regulations every authorised officer of the Organization shall have the following powers in addition to any others:

(a) to enter any Office in order to inspect, examine and receive from the manager or the entrepreneur or the authorised representative thereof a copy of any document or other material which relates to compliance with its obligations as an Office and to obtain any information that he may deem reasonably necessary;

(b) to exercise any other power necessary for the application of the provisions of the Law and these Regulations.

(3) Every entrepreneur or manager of an Office shall be bound to provide to the authorised officers of the Organization every facility and information and submit any document or material for inspection which may reasonably be requested by him for the securing of the supervision as to the observance of the obligations of the Office, in accordance with the Law and these Regulations.

**PART III
TOURIST GUIDES**

School of Tourist Guides.

12. In relation to the provisions of subsection (1) of section 16 of the Law, the Administrative Committee shall determine the required qualifications of the student candidates of the School of Tourist Guides, the certification of command of foreign languages, the examining committee for the examinations, the subjects to be examined as well as any matter relevant and supplementary to the aforementioned.

Licence of tourist guides .

13.-(1) Every person who intends to exercise the occupation of a tourist guide shall submit an application to the Director-General for the granting of a licence.

Fourth Table.

(2) The tourist guide licence shall be issued in the form set out in the Fourth Table.

Third Table.

(3) The relevant fee set out in the Third Table shall be submitted by the tourist guide for the issue or renewal of a licence or for a copy of a licence.

(4) Every tourist guide shall be bound to present his licence, upon request by the authorised officers of the Organization or the competent authorities of the state.

(5) Every tourist guide may, on presentation of his licence and provided he escorts sightseers, enter freely into any place of tourist or archaeological interest controlled by the State.

(6) Every tourist guide may guide a group of up to fifty-five (55) persons.

Distinctive mark. **14.** Every tourist guide shall be supplied with a distinctive mark from the Organization, which he shall be bound to wear during the sightseeing tour.

Obligations of tourist guides. **15.**-(1) Any tourist guide who, without reasonable cause, acts in contravention of a sightseeing tour agreement, shall commit a disciplinary offence and shall, on conviction by the Disciplinary Board, be liable to the penalties provided in paragraph (4) of Regulation 18, unless he secures the services of another tourist guide for the sightseeing tour he undertook, in time.

(2) It shall be forbidden for the tourist guide -

(a) to persistently offer his services to sightseers;

(b) to simultaneously offer double services, such as sightseeing tour guiding and driving a vehicle, except in case of driving a small vehicle which may carry not more than nine (9) passengers;

(c) to carry out any religious, political or racial propaganda during the conduct of a sightseeing tour;

(d) to sell or offer for sale any items during the sightseeing tour;

(e) to supply false or inaccurate information;

(f) to accept any kind of commission offered by entrepreneurs;

(g) to simultaneously carry out a sightseeing tour in more than two languages;

(h) to offer services to non-licensed Offices.

Duties of tourist guides. **16.** Every tourist guide must-

(a) examine complaints by sightseers reported to him whilst touring, mediate for their solution and report the facts to the Organisation;

- (b) provide a high level of services and conduct himself with politeness towards sightseers and generally towards the public;
- (c) act in a way of protecting and respecting the environment, the nature, the sights and monuments as well as the local customs or culture and the sensitivity of the location where the sightseeing tour is held;
- (d) accompany the group of sightseers throughout the duration of the organised excursion or sightseeing tour.

PART III - DISCIPLINE

Disciplinary action.

17. A licensed tourist guide shall be subject to disciplinary action-

- (a) if, he has been convicted by a Court for an offence which entails lack of honesty or moral turpitude;
- (b) if, according to the decision of the Disciplinary Board, he has shown disgraceful behaviour or incompatible with the occupation of a tourist guide;
- (c) if he contravenes the obligations imposed under this Law or the Regulations made thereunder.

Disciplinary procedure.

18.-(1) If a tourist guide commits a disciplinary offence or if such an offence comes to the attention of the Board of Directors, the Director-General shall undertake to conduct an investigation of the case or appoint one or more employees of the Organization as investigating officers to conduct the investigation:

Provided that, if in any case the Director-General considers that it would not be possible, practical or applicable to carry out the investigation himself or to appoint as an investigating officer one of the employees of the Organization, he shall refer the case to the Board of Directors in which case-

(a) if it is of the opinion that the investigation should be conducted by the Director-General, it shall refer the matter to him to conduct the investigation; or

(b) it shall refer the matter to the Minister, who shall appoint one or more suitable public officers as investigating officers to conduct the investigation.

(2) A report on the investigation together with the relevant documents shall be sent to the Director-General who, if he is of the opinion in view of the report and after he has received an opinion from the Attorney-General, that, *prima facie*, a disciplinary offence has been committed, he shall refer the case together with the charge to the Board of Directors for hearing.

(3) The provisions in force applying to the officers in the Public Service of the Republic shall apply, *mutatis mutandis*, for the conduct of an investigation, the referral of the case after the investigation and the proceedings in relation to the case and the hearing thereof.

(4) The hearing of the case shall be carried out before the Board of Directors which, *mutatis mutandis*, has all the relevant powers which the Public Service Commission has under the Public Service Laws or any other law amending or substituted for the same and if the tourist guide is found guilty, the Board of Directors shall impose any of the following penalties:

71 of 1991
211 of 1991
27(I) of 1994
83 (I) of 1995
60(I) of 1996
109(I) of 1996
69(I) of 2000
156(I) of 2000
4(I) of 2001

94(l) of 2003
128(l) of 2003
183(l) of 2003
31(l) of 2004
218(l) of 2004
68(l) of 2005
79(l) of 2005
105(l) of 2005
96(l) of 2006
107(l) of 2008
137(l) of 2009.

- (a) verbal or written reprimand;
- (b) fine not exceeding one thousand euro (€1.000);
- (c) suspension of the licence of the tourist guide for a period of time as the Disciplinary Board may consider expedient;
- (d) revocation of the licence of the tourist guide.

PART IV - GENERAL AND TRANSITIONAL PROVISIONS

Offences
and penalties.

19. Any person who contravenes the provisions of these Regulations or omits to comply therewith shall, unless otherwise provided in these Regulations, commit a criminal offence and shall, on conviction, be liable to imprisonment not exceeding three (3) months or to a fine not exceeding four hundred Euro (€400) or to both such penalties.

Transitional
provisions.

20. Any acts or decisions made or taken under the Regulations hereby repealed and which could have been made or taken under the corresponding provisions of these Regulations shall continue, provided they are in force immediately before the date of the coming into operation of these Regulations, to be in force as if they had been made or taken under the corresponding provisions of these Regulations.

Repeal.
Official Gazette,
Third Supplement (I):
24.3.1980
7.11.1980.

21. The Tourist Occupations and Associations Regulations, 1980,
are hereby repealed.

**FIRST TABLE
(Regulation 3(1)(2))**

FORM OF LICENCE TO ESTABLISH AND OPERATE AN OFFICE

Serial Number

Licence Number.....

CYPRUS TOURISM ORGANIZATION
LICENCE TO ESTABLISH AND OPERATE A TOURISM
AND TRAVEL OFFICE

By virtue of the provisions of the the Tourism and Travel Offices and
Tourist Guides Law and the Regulations made thereunder is hereby
granted toa licence to operate (under the following
terms) an Office
situated at
and at street known as

Full name of Manager in charge:

This licence shall be valid from.....
until.....

Terms:

(Submitted fee in Euro.....)

Nicosia.....20.....

.....
Director-General

Cyprus Tourism Organization

SECOND TABLE

(Regulation 3(3))

**FORM OF LICENCE TO ESTABLISH AND OPERATE A
BRANCH-OFFICE**

Serial Number

Licence Number.....

**CYPRUS TOURISM ORGANIZATION
LICENCE TO ESTABLISH AND OPERATE A TOURISM
AND TRAVEL BRANCH-OFFICE**

By virtue of the provisions of the Tourism and Travel Offices and Tourist Guides Law and Regulations made thereunder is hereby granted to a licence to operate (under the following terms) a branch-office situated at and at street known as

Full name of Manager in charge:

This licence shall be valid from.....
until.....

Terms:

(Submitted fee in Euro.....)

Nicosia.....20.....

.....

Director-General

Cyprus Tourism Organisation

**THIRD TABLE
(Regulations 4 and 13(3))**

LICENCE FEES

1. Fees for a licence to establish and or operate an Office, to establish and or operate a branch-office:
 - (a) (i) For the issue of the initial licence to operate an Office: €400,00, for every two years of validity of the licence or part thereof.

(ii) For the renewal of the licence to operate an Office: €300,00, for every two years of validity of the licence or part thereof.
 - (b) (i) For the issue of the initial licence to operate a branch-office: €200,00, for every two years of validity of the licence or part thereof.

(ii) For the renewal of the licence to operate a branch-office: €150,00, for every two years of validity of the licence or part thereof.
 - (c) For the issue of a licence to operate because of change of the registered address of the Office or branch-office to another city: €200,00, and €100,00, respectively.
 - (d) For the issue of a licence to operate because of change in the manager or name or address of the Office or branch-office in the same city or community: €50,00.
2. For the issue or renewal of a tourist guide licence: €30,00, for every two years of validity of the licence or part thereof.
3. For every copy of a licence: €10,00.

**FOURTH TABLE
(Regulation 13(2))**

FORM OF TOURIST GUIDE LICENCE

Serial Number

Licence Number.....

CYPRUS TOURISM ORGANIZATION
TOURIST GUIDE LICENCE

By virtue of the provisions of the Tourism and Travel Offices and Tourist Guides Law and Regulations made thereunder is hereby granted to from a tourist guide licence (under the following terms):

This licence shall be valid from.....
until.....

(Submitted fee in Euro.....)

(Nicosia.....)

.....

Director-General
Cyprus Tourism Organization