

A Guide to the Tourism Authority
Act 2006
Pleasure Craft Licence

DISCLAIMER

This guide, published by the Ministry of Tourism and Leisure, is intended to give you an appreciation of the main provisions of the Tourism Authority Act 2006 (as amended) as at the time of its publication. The Ministry cannot be held responsible for the accuracy, completeness or otherwise of the contents of the guide.

Users are advised to refer to the Tourism Authority Act 2006 together with subsequent amendments and/or consult their legal adviser for further clarification.

1. What is the Tourism Authority?

The Tourism Authority is a body corporate which is managed by a Board. The Board consists of a Chairperson and representatives of relevant public and private sector organisations appointed by the Minister. A Director, appointed by the Board is responsible for the implementation of the policies and decisions of the Board.

2. What is the role of the Tourism Authority?

The Tourism Authority Act 2006 has reviewed and reinforced the role of the Tourism Authority as a regulatory and licensing body. Its main functions are to:

1. license, regulate and monitor tourist enterprises;
2. register, license, regulate and monitor pleasure crafts;
3. license and monitor the activities of skippers;
4. issue canvasser permits and monitor the activities of canvassers;
5. establish standards, guidelines and codes of practice;
6. monitor compliance with established standards, guidelines and codes of practice.

3. Which licences are issued by the Tourism Authority?

1. A Tourist Enterprise Licence (TEL) is issued in respect of tourist establishments or activities listed at Annex I.
2. A Pleasure Craft Licence (PCL) is issued in respect of any craft used for pleasure or sports for either private or commercial purposes.
3. A Skipper's Licence is issued to a person who operates a pleasure craft.
4. A Canvasser Permit is issued to a person who invites business for a tourist enterprise or a pleasure craft.

4. What are the powers of the Tourism Authority?

1. The Tourism Authority issues, renews, suspends, varies or revokes licences and canvasser permits.
2. The Tourism Authority can investigate if an offence has been committed under the provisions of the Act.

3. If the Tourism Authority detects an offence, it may either serve a fixed penalty notice on the offender or initiate criminal proceedings.
4. The Tourism Authority can serve an enforcement notice if it is of the opinion that a person/company/société is contravening this Act or any regulations made under it.
5. The Tourism Authority can inspect your tourist enterprise and/or your pleasure craft.
6. The Tourism Authority can suspend or cancel the registration of your pleasure craft.
7. The Tourism Authority can detain your pleasure craft, affix a seal to it or dispose of it.
8. The Tourism Authority can make a provisional closing order in respect of:
 - (i) your tourist enterprise if grounds for revocation are present;
 - (ii) any premises used as a tourist enterprise in contravention of this Act or any regulations made under it; or
 - (iii) any premises constituting a danger to public health, public order or public safety.
9. The Tourism Authority can revoke a closing order if it is satisfied that the grounds for revocation have been remedied or no longer exist.
10. The Tourism Authority can grant a provisional pleasure craft licence in specific cases.
11. The Tourism Authority can grant a provisional skipper's licence for private purposes only.
12. The Tourism Authority can take possession of any wreck in a navigational area.
13. The Tourism Authority can remove any pleasure craft or any equipment of a pleasure craft within the maritime zone of Mauritius or on the beach if it is an eyesore or considered to be a danger to navigation and to the public.
14. The Tourism Authority can direct you to withdraw any advertisement or promotion in respect of your tourist enterprise or your pleasure craft if it is of the opinion that it is misleading or confusing.

Application for the Registration of a Pleasure Craft

5. Can you operate your pleasure craft without having registered it with the Tourism Authority?

You cannot operate or allow your pleasure craft to be operated unless it has been registered with the Tourism Authority and it carries a registration mark which is displayed in accordance with the Act.

You will need to provide particulars of your pleasure craft with details of ownership to the Tourism Authority which will then give a registration mark to your pleasure craft and issue a registration book to you.

6. When should you apply for the registration of your pleasure craft?

The registration of your pleasure craft will be made against payment of the prescribed fee as at Annex II.

You must make the first registration within 30 days of either:

1. the purchase of your pleasure craft, in which case you will have to submit the deed of sale;
2. the manufacture of your pleasure craft locally, in which case you will have to submit a written declaration by the manufacturer;
3. the importation of your pleasure craft, in which case you will have to submit a written declaration and the paid Bill of Entry from Customs.

If you do not submit your application within 30 days of the purchase, manufacture or removal of pleasure craft from Customs, you will have to pay a 50% surcharge.

7. When will you be requested to survey your pleasure craft before registration?

In some cases, the Tourism Authority can request you to have your pleasure craft examined by a surveyor approved by the Authority with a view to confirming particulars submitted in your application form and to ensuring that your pleasure craft complies with the requirements of the Act.

8. What if your pleasure craft is on lease?

While registering, you must notify the Tourism Authority if your pleasure craft is on lease. If your pleasure is on lease, you will be considered to be the owner by the

Tourism Authority and you will have to incur all liabilities and obligations under the Act.

9. In which cases can a duplicate registration book be issued?

The Tourism Authority can issue a duplicate registration book in case your original is lost, stolen, subject to wear and tear or has been kept for the purpose of an enquiry subject to the following conditions, whichever applicable:

1. you have reported the case to the Tourism Authority;
2. you have paid the prescribed fee as at Annex II;
3. you have returned your worn or defaced registration book to the Tourism Authority.

Only if your original registration book has been kept for the purpose of an enquiry, will you be issued with a duplicate, free of charge.

10. In which case can the Tourism Authority refuse to register your pleasure craft?

The Tourism Authority can refuse to register your pleasure craft if:

1. it is a stolen pleasure craft;
2. it is not seaworthy;
3. it is not in compliance with the requirements of the Act or any regulation made under it;
4. inaccurate information has been submitted by you in respect of the pleasure craft.

The Tourism Authority will inform you of the reason(s) for which it has refused to register your pleasure craft.

11. Can the Tourism Authority suspend the registration of your pleasure craft?

The Tourism Authority can suspend the registration of your pleasure craft if:

1. its use constitutes a public danger; your registration will be restored if remedial action has been taken to the satisfaction of the Tourism Authority;
2. your pleasure craft does not comply with the requirements of the Act or any regulation made under it;

3. you are operating without a valid licence;
4. you have paid your licence or any other transaction related to your pleasure craft with a dishonoured cheque;
5. you have failed to pay within 30 days of notification, any tax or fee due.

The period of suspension in cases 1 and 2 will not exceed 3 months and in cases 4 and 5, the suspension will be lifted once payment has been made.

Upon suspension, you will have to return your registration book and your pleasure craft licence to the Tourism Authority within 30 days of the date of suspension. The registration book can be recovered after the suspension has been lifted.

A seal will be affixed to your pleasure craft upon suspension of your registration.

12. When can the suspension of your pleasure craft be lifted?

The suspension can be lifted if your pleasure craft no longer represents a danger to public safety and all payments due have been made.

If the suspension lasts for more than 3 months, the registration of your craft will be cancelled.

13. In which cases will the Tourism Authority cancel the registration of your pleasure craft?

The Tourism Authority will cancel the registration of your pleasure craft if:

1. its registration has been based on false information;
2. it constitutes a public danger as confirmed by an approved surveyor;
3. it is destroyed;
4. it is damaged beyond repair;
5. it is scrapped or declared a total loss;
6. it has been removed permanently from Mauritius. You must inform the Tourism Authority of cases (3) to (6), within 30 days of its occurrence and return the registration book and the pleasure craft licence.

14. Can you operate or allow your pleasure craft to be operated if its registration has been cancelled?

You cannot operate or allow your pleasure craft to be operated in a navigational area if the registration of your pleasure craft has been cancelled.

15. What safeguards have been provided for, in the case of refusal to register, suspension or cancellation of the registration of your pleasure craft?

In case the Tourism Authority refuses to register your pleasure craft, the decision will be communicated to you in writing and reasons for refusal explained.

Prior to suspension or cancellation, the Tourism Authority will give you the opportunity to make representations.

16. What must you do when there is a change in ownership of your pleasure craft?

1. Both the buyer and the seller must within 30 days of the transaction, inform the Tourism Authority of the date of the change in ownership and the name and address of the new owner.
2. The seller must inform his insurance company accordingly.
3. The seller must return the pleasure craft licence to the Tourism Authority.

The Tourism Authority will register the new owner and issue a new registration book against payment of the prescribed fee as at Annex II.

If you were the holder of a pleasure craft licence for commercial purposes, the licence will no longer be valid and the new registered owner must apply for a new pleasure craft licence. This applies to the holder of the pleasure craft licence whether an individual, a company or a société.

17. What information must your deed or declaration contain?

The following information must be included in the deed or declaration:

1. the name and address of the buyer and seller;
2. the registration mark, make and model of the pleasure craft;
3. the date of change in ownership;
4. the national identity card number (NIC); or

5. any other identification number acceptable to the Tourism Authority or the registered company number of the buyer and seller.

The deed or declaration must be dated and signed by the buyer and the seller and must contain the following annotation:

“I certify that this original is identical to the other original with which it has been duly collated”.

18. What happens if the registered owner of a pleasure craft dies?

Upon the death of the registered owner of a pleasure craft, the custodian or the new owner must notify the Tourism Authority within 30 days. The new owner must register the pleasure craft in his name upon payment of the prescribed fee as at Annex II. Where the new owner fails to do so within 30 days, he will have to pay a 50% surcharge. The registration of the new owner will be effective only after the registration book has been re-issued by the Tourism Authority.

19. What must you do in case there is a change in your place of residence or business?

In case there is a change in address, you must inform the Tourism Authority within 30 days and forward your registration book to it for the issue of a new one upon payment of the prescribed fee as at Annex II.

**Application for a
Pleasure Craft Licence (PCL)**

20. Can you operate a pleasure craft without being the holder of a licence in respect of that pleasure craft?

You cannot operate or allow your pleasure craft to be operated:

1. if you are not the holder of a valid licence or a provisional licence for that specific pleasure craft;
2. the pleasure craft is not fitted with the type and number of equipment required;
3. the pleasure craft is not covered by a comprehensive insurance policy.

21. How do you apply for a pleasure craft licence?

Prior to the purchase, manufacture or importation of your pleasure craft, you are advised to apply for a Letter of Intent in the first instance.

The Tourism Authority will, against payment of the appropriate fee as at Annex II, issue a Letter of Intent listing the conditions under which a pleasure craft licence can be granted to you.

You then need to fill-in the appropriate application form for a PCL available at the Tourism Authority and on its website and submit the relevant documents. You will have to pay the required application fees as at Annex II.

The Tourism Authority will, against payment of the prescribed fee as at Annex II, issue your pleasure craft licence only if all conditions have been fulfilled.

The Tourism Authority cannot be held responsible for any expense incurred by you, should your application for a Letter of Intent or for a PCL be turned down.

22. When will the Tourism Authority issue or renew your pleasure craft licence?

The Tourism Authority will issue or renew your licence if:

1. the survey report or counter examination report is favourable;
2. all conditions contained in the Letter of Intent have been satisfied;
3. the appropriate fee has been paid as at Annex II;
4. the pleasure craft is covered by a comprehensive insurance policy;
5. conditions imposed by the Tourism Authority have been fulfilled.

23. Can there be any restriction in the issue of a pleasure craft licence?

The Minister can, if it is for public security and in the public interest to do so, restrict the number of pleasure craft licences for any type in any regions or navigational area.

24. What is the validity period of your pleasure craft licence?

A pleasure craft licence is valid for a period of 12 months as from the date of issue unless otherwise stated by the Tourism Authority.

25. When must you renew your pleasure craft licence?

You must complete the application form for renewal within 3 months before the date of expiry of your licence and pay the prescribed fee as at Annex II.

26. What if you apply for renewal after the expiry of your pleasure craft licence?

If you apply for renewal within 30 days after the date of expiry of your licence, the Tourism Authority will renew your licence but you will have to pay a 50% surcharge.

If you have not done so within 30 days after the date of expiry of your licence, it will lapse and you will be required to submit a new application **and pay double the prescribed fee for the issue of the licence.**

27. What if your lost pleasure craft licence is found?

If you subsequently, find your lost pleasure craft licence, you must inform the Tourism Authority accordingly and return your duplicate licence.

28. When can the Tourism Authority issue a provisional pleasure craft licence?

The Tourism Authority may, upon payment of the prescribed fee, issue a provisional pleasure craft licence, where the pleasure craft:

- i. must be transferred from one place to another to undergo a survey or reparation;
- ii. must be transferred to another place following clearance from Customs;
- iii. must be subject to testing by a manufacturer or a potential buyer;
- iv. is licensed in a foreign country and has obtained the approval of the Minister.

29. Who can survey your pleasure craft?

Only an approved surveyor registered with the Tourism Authority can survey your craft. You must consult the Tourism Authority for the list of approved surveyors.

If the surveyor who has carried out the survey of your pleasure craft is not registered with the Tourism Authority, he will be liable to a fine not less than Rs 5,000 and not exceeding Rs 50,000 and to imprisonment for a term not exceeding one year.

30. When must you survey your craft?

An approved surveyor must survey your draft and its engines(s) when you submit your first application or an application for renewal of your licence in certain cases. The survey report must be submitted to the Tourism Authority within 15 days of your request.

31. What information must the survey report contain?

The survey report must include the following:

1. the state and seaworthiness of the craft;
2. the type, number and condition of every item of equipment on the craft;
3. any additional item of equipment required;

4. the maximum number of persons that the craft can carry;
5. the age, general condition and efficiency of the engine(s) and of any propelling device(s);
6. the recommendations of the approved surveyor regarding compliance with existing guidelines or codes of practice.

32. What if the Tourism Authority is not satisfied with the survey report submitted?

The Tourism Authority can request for a counter examination to be carried out by 2 approved surveyors whose findings will be final.

33. In which cases can the Tourism Authority refuse to issue a pleasure craft licence?

The Tourism Authority will not issue a pleasure craft licence if you, any director, manager or officer or majority shareholder of a company or a majority partner of a société has been convicted of any offence involving fraud or dishonesty within the 3 years preceding the date of your application.

34. Can the Tourism Authority suspend, vary, revoke, or refuse to renew your pleasure craft licence?

The Tourism Authority can do so by written notice if:

1. you or your employee has not complied with a condition of the licence or with any existing guideline, standard or code of practice;
2. you have obtained your licence in a fraudulent manner or by providing false and misleading information;
3. there is an unfavourable survey report or counter examination report;
4. you or your employee has acted in a dishonourable, improper or immoral manner;
5. you or your employee has been convicted of an offence under the Act or any regulation made under it;
6. you or your employee is operating the pleasure craft in an improper, unsound and unsafe manner without the appropriate equipment;
7. you have assigned or transferred your licence without the written authorisation of the Tourism Authority;

8. you are only nominally the licensee;

9. it is in the public interest to do so.

35. What safeguards have been provided for, in the case of variation, suspension, revocation or refusal to renew your licence?

Prior to variation, revocation or refusal to renew your licence, you will be required by the Tourism Authority to justify why your licence should be renewed and not varied or revoked.

If the Authority considers that it is not appropriate to revoke your pleasure craft licence, it can suspend the licence for a given period of time and request you to take corrective measures within a specified time limit.

If the Authority is satisfied that you have complied with its requirements, it can restore your licence. On the contrary, it can revoke your licence if you have failed to do so. The Authority, however, reserves the right to suspend your licence if it is in the public interest to do so.

36. Will there be any refund in case your licence is revoked or suspended?

No refund nor compensation will be paid in respect of the unexpired portion of the licence if the Tourism Authority revokes or suspends it.

37. Can an authorised officer inspect your pleasure craft?

An authorised officer can either be a police officer, a public officer authorised by the Permanent Secretary or an employee of the Tourism Authority.

An authorised officer can enter without warrant, the place where your pleasure craft is kept. However, in case it is also your residence, the authorised officer must produce a warrant from a Magistrate.

A police officer must produce his warrant card as proof of his identity. Any other authorised officer must produce his identification card.

If the authorised officer detains the pleasure craft, or any of its accessory or equipment, he must notify the owner not later than 15 days from the date of detention. The pleasure craft, accessory or equipment detained will be returned if after further enquiry, it is proved that it was not involved in any offence nor was it being used for prosecution.

38. When can the Tourism Authority affix a seal to your pleasure craft?

A seal can be affixed to your pleasure craft if:

1. it is being used in contravention of the Act or any regulation made under it;
2. you are in breach of the terms and conditions of your pleasure craft licence;
3. actions need to be taken to discontinue an offence;
4. your licence has been suspended.

If a pleasure craft is taken to a safe place for the purpose of affixing a seal, the Tourism Authority must inform in writing the registered owner accordingly.

39. When can the Tourism Authority dispose of your pleasure craft?

If the pleasure craft is not claimed by its registered owner within one month, the Tourism Authority will give a notice of one month in the Government Gazette and in 2 daily newspapers of its intention to dispose of the craft by public auction or otherwise.

40. How will the proceeds from the sale of your pleasure craft be used?

Any revenue from the sale or disposal of your pleasure craft will be used for the payment of any outstanding licence fee or charge.

The surplus, if any, will be forfeited to the Tourism Authority if not claimed by the registered owner of the craft within 12 months of the date of sale or disposal.

41. What are the powers of the authorised officer in respect of a pleasure craft?

In the exercise of his powers, the authorised officer must show his identification card/warrant card. He must also be the holder of a skipper's licence if he is operating a pleasure craft in the exercise of any of his powers listed hereafter:

1. an authorised officer can stop your pleasure craft and ask you not to proceed with your journey until authorised.
2. an authorised officer can request you as the person in charge of a pleasure craft or any person on board your pleasure craft to give any particulars required for identification purposes such as name and address.

3. an authorised officer can remove your pleasure craft from the navigational area or prohibit its use until the defects have been remedied if he is of the opinion that its operation can constitute a danger to the occupants or to the public.
4. an authorised officer can serve you a notice to direct you to take your pleasure craft to an approved surveyor for examination and ask you to take remedial action within the time specified if your pleasure craft is emitting smoke, fuel, oil or lubricant.
5. an authorised officer can operate or request you to operate your pleasure craft to investigate whether an offence has been committed in relation to your pleasure craft.
6. an authorised officer can detain your pleasure craft if he has sufficient grounds to believe that it is unfit to be operated in a navigational area.

42. Can the Court order the seizure of your pleasure craft?

The Court can order the seizure of your pleasure craft if you have been found guilty of an offence involving your pleasure craft.

43. What are your obligations under this Act?

1. You must not operate or allow your pleasure craft to be operated in a place which is not a navigational area.
2. You must not operate a pleasure craft or allow your pleasure craft to be operated in a navigational area if you have not registered your pleasure craft and if you are not the holder of a valid licence in respect of that specific craft.
3. You must not operate or allow your pleasure craft to be operated in a navigational area if your pleasure craft has been deregistered and its licence has been suspended or revoked.
4. You must not conduct your business in such a manner that it can endanger public health, public order or public safety.
5. You must comply with all requirements of the Act, regulations, standards, guidelines and codes of practice made under it, directions issued by the Tourism Authority as well as with all conditions of your licence.
6. You must ensure that the registration mark is clearly displayed on your pleasure craft and meets the requirements of the Tourism Authority.

7. If you are not the holder of a valid pleasure craft licence, you will be required to remove the pleasure craft from a navigational area within the time limit determined by the Tourism Authority. If you fail to do so, the Tourism Authority will remove the pleasure craft from the navigational area at your own expense.
8. If your pleasure craft licence has been revoked, you cannot allow your pleasure craft to remain in the navigational area.
9. You must at the request of an authorised officer, produce your pleasure craft licence or a copy of it. If not in possession of your original licence, you must produce it within 5 days at the Tourism Authority or police station or National Coast Guard Station as specified by the authorised officer.
10. For the purpose of affixing a seal to your pleasure craft, the authorised officer may require you to take it to a safe place from where it will not be removed unless authorised.
11. You must not break the seal affixed to your pleasure craft.
12. If the Tourism Authority incurs any expense which is a direct result of an offence committed by you under the Act/regulations made under it or which is a direct result of non-compliance with the conditions of your pleasure craft licence, you will have to meet all costs involved.
13. You must immediately inform the Tourism Authority if your registration book has been lost, stolen or destroyed.
14. You must return your registration book to the Tourism Authority in case of wear and tear for the issue of a duplicate.
15. You must not make any advertisement or promotion in respect of the commercial use of your pleasure craft which misleads or confuses consumers or withholds from them adequate information as to their rights and obligations under any consumer transaction.
16. If an authorised officer directs you to stop your pleasure craft and not to proceed with your journey or to furnish your name, address and any other particulars for identification, you must comply with his requirement.
17. You must not refuse to give your name and address or give a name and address which is false to a police officer or to any other authorised officer.

18. You must not retain your duplicate licence if your lost licence has been found and you must not at any time, be in possession of your original licence and its duplicate without sufficient grounds to do so.
19. You must not send a pleasure craft in a navigational area if it represents a danger of injury to a person.
20. If your pleasure craft is operated by a skipper and you are the owner, you must ensure the seaworthiness of the pleasure craft and the availability of all safety equipment on board before any intended trip.
21. You must not provide false or misleading information for the purpose of obtaining or renewing your pleasure craft licence or to an authorised officer in the exercise of his powers.
22. You must not obstruct or impede an authorised officer in the exercise of his powers nor refuse him access to your premises and pleasure craft.
23. You must submit in writing information required by the Director of the Tourism Authority within the specified time limit.

44. What if you fail in your obligations under this Act?

If you fail in your obligations, you will commit an offence. Upon detection of the offence, you may be liable to a fixed penalty or if found guilty by the court, to a fine or a term of imprisonment as detailed at Annex III.

Dealing with wrecks

45. Can the Tourism Authority take possession of a wreck in a navigational area?

The Tourism Authority can take possession of any wreck in a navigational area but must within 48 hours:

1. give notice of it together with a description of a wreck at its office and at every National Coast Guard Station;
2. publish it in 2 daily newspapers for 3 consecutive days.

46. Can the owner claim back the wreck?

If you are the owner of the wreck, you can claim it back and it will be returned to you if you have satisfied the Tourism Authority and paid the relevant fees, expenses or charges for the removal of the wreck.

47. What if you do not claim the wreck?

If you do not claim the wreck, the Tourism authority can within 45 days of the date of posting of the notice or the last publication, whichever is the later:

1. sell or make arrangements for the wreck to be sold in which case the proceeds will be credited to the General Fund;
2. dispose of the wreck if in its opinion, the wreck is of no market value.

48. Can the Tourism Authority remove a pleasure craft or any equipment of a pleasure craft within the maritime zone of Mauritius or on the beach?

If the Tourism Authority considers that a pleasure craft or any equipment of a pleasure craft, abandoned, lost or sunk within the maritime zone of Mauritius, or on the beach is an eyesore and constitutes a danger to navigation or to the public, it can, after having given 7 clear days notice in 2 daily newspapers:

1. raise, remove or destroy it;
2. light or buoy the pleasure craft until is raised, removed or destroyed;
3. sell or make arrangements for the sale of the pleasure craft or any property recovered.

The Tourism Authority will recoup all expenses incurred in relation to the craft from the proceeds of the sale. The surplus, if any, will be forfeited to the General Fund, if not claimed within 3 months from the date of publication in 2 daily newspapers.

Appeal

49. Can you appeal against a decision of the Tourism Authority?

If you believe that you have been aggrieved by any decision of the Tourism Authority, you can within 21 days of the notification of the decision to you, appeal against the decision to the Regulatory Authorities Appeal Tribunal.

Pending the coming into operation of the Regulatory Authorities Appeal Tribunal, you can appeal to the Minister of Tourism and Leisure through the Permanent Secretary.

Tourist Enterprise

Part A - Establishment

Sub-Part I - Tourist Accommodation

Guesthouse

Hotel

Tourist residence

Sub-Part II – Places where Food, Beverages and Entertainment are provided

Nightclub

Private club

Pub

Restaurant (including liquor and other alcoholic beverages) with entertainment

Restaurant (excluding liquor and other alcoholic beverages) with entertainment

Restaurant (including liquor and other alcoholic beverages) without entertainment

Restaurant (excluding liquor and other alcoholic beverages) without entertainment

Table d'hôte

Part B – Activity

Dolphin and whale watching

Dolphin and whale watching, together with swimming with dolphins

Eco-tourism activities (nature based tourism activities or adventure related tourism activities, or both)

Hawking on beaches facing hotels

Hawking in tourist sites

Operating helmet diving centre

Karting

Operating aquarium displaying fish or marine animals for public viewing

Operating beauty parlour, including hairdressing, within hotel premises

Operating boat house

Operating cable car
Operating ferry boat
Operating golf course
Operating health and fitness centre within hotel premises
Operating pleasure craft for commercial purpose, other than by a pleasure craft licensee
Operating rental agency for bicycle
Operating rental agency for bus, including minibus
Operating rental agency for car
Operating rental agency for jet ski
Operating rental agency for kite surf
Operating rental agency for motorcycle
Operating rental agency for paraglide
Operating rental agency for quad
Operating rental agency for windsurf
Operating scuba diving centre
Operating spa within hotel premises
Operating travel agency
Providing non-motorised water sports such as pedaloos, canoes, kayaks and laser
Providing tour operator service
Working as tourist guide, including tourist guide employed by a tour operator

PLEASURE CRAFT FEES

	<i>Rs</i>
1. For the registration of a pleasure craft	1,000
2. For the issue of a duplicate registration book	1,500
3. For the alteration of the register and registration book	1,000
4. For the registration of new owner of a pleasure craft	500
5. For the issue of a letter of intent in respect of a licence	1,000
6. For an application for the issue of a licence	1,000
7. For an application for the renewal of a licence	1,000
8. For the issue of a licence –	

<i>Length of pleasure craft</i>	<i>Private Purpose Rs</i>	<i>Commercial Purpose Rs</i>
Not more than 6 metres	4,000	8,000
More than 6 metres but not more than 12 metres	6,000	12,000
More than 12 metres but not more than 20 metres	10,000	20,000
More than 20 metres	20,000	40,000

8A (1) For the renewal of a licence issued prior to 30 June 2007

<i>Length of pleasure craft</i>	<i>Private Purpose Rs</i>	<i>Commercial Purpose Rs</i>
Not more than 6 metres	4,000	6,000
More than 6 metres but not more than 12 metres	6,000	8,000
More than 12 metres but not more than 20 metres	10,000	20,000
More than 20 metres	20,000	40,000

8A (2) For the renewal of a licence issued after 30 June 2007

<i>Length of pleasure craft</i>	<i>Private Purpose Rs</i>	<i>Commercial Purpose Rs</i>
Not more than 6 metres	4,000	8,000
More than 6 metres but not more than 12 metres	6,000	12,000
More than 12 metres but not more than 20 metres	10,000	20,000
More than 20 metres	20,000	40,000

9. For the issue of a duplicate licence

<i>Private Purpose Rs</i>	<i>Commercial Purpose Rs</i>
1,500	1,500

Annex III

	Offence	Fixed penalty	Upon Conviction
1	Putting or permitting any person to put a pleasure craft in a navigational area when its registration has been cancelled under sub-sections (2) or (3) - section 49(8)(9)(b)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
2	Operating, permitting or employing a person to operate a pleasure craft in respect of which its registration has been cancelled - section 49(9)(a)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
3	Failing to give joint notice within 30 days to the Tourism Authority of change of ownership - section 50(1)(a)(6)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.

	Offence	Fixed penalty	Upon Conviction
4	Failing to give a joint notice within 30 days to the insurance company of change of ownership - section 50(1)(b)(6)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.
5	Failing to deliver to the Tourism Authority the pleasure craft licence together with the registration book relating to the pleasure craft within 30 days - section 50(1)(c)(6)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.
6	Failing to notify the Tourism Authority of a new address within the prescribed period - section 55(1)(3)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 5,000 rupees and to imprisonment for a term not exceeding 3 months.
7	Practising as an approved surveyor for the purposes of the Act without being registered with the Tourism Authority - section 56(1)(3)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

	Offence	Fixed penalty	Upon Conviction
8	Operating or allowing a pleasure craft to be operated without a valid pleasure craft licence or a provisional pleasure craft licence - section 57(1)(a)(2)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
9	Operating or allowing a pleasure craft to be operated without a valid pleasure craft licence or a provisional pleasure craft licence, in case of a second or subsequent conviction - section 57(1)(2)(a)(4)	Rs 20,000	Fine of not less than 20,000 rupees and not exceeding 200,000 rupees and to imprisonment for a term not exceeding 5 years.
10	Operating, permitting or employing any person to operate a pleasure craft which is not fitted with the prescribed item of equipment in the prescribed number and according to the prescribed specifications - section 57(1)(2)(b)(i)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
11	Operating, permitting or employing any person to operate a pleasure craft which is not fitted with the prescribed item of equipment in the prescribed number and according to the prescribed specifications, in case of a second or subsequent conviction - section 57(1)(2)(b)(i)(4)	Rs 20,000	Fine of not less than 20,000 rupees and not exceeding 200,000 rupees and to imprisonment for a term not exceeding 5 years.

	Offence	Fixed penalty	Upon Conviction
12	Operating or allowing a pleasure craft to be operated without the prescribed policy insurance - section 57(1)(2)(ii)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
13	Operating or allowing a pleasure craft to be operated without the prescribed policy insurance, in case of a second or subsequent conviction - section 57(1)(2)(b)(ii)(4)	Rs 20,000	Fine of not less than 20,000 rupees and not exceeding 200,000 rupees and to imprisonment for a term not exceeding 5 years.
14	Operating or causing, permitting or employing a person to operate a pleasure craft outside a navigational area - section 57(3)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
15	Operating or causing, permitting or employing a person to operate a pleasure craft outside a navigational area, in case of a second or subsequent conviction - section 57(3)(4)	Rs 20,000	Fine of not less than 20,000 rupees and not exceeding 200,000 rupees and to imprisonment for a term not exceeding 5 years.

	Offence	Fixed penalty	Upon Conviction
16	Operating, permitting or employing a person to operate a pleasure craft when its licence has been revoked - section 61(8)(a)(i)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
17	Operating, permitting or employing a person to operate a pleasure craft when its licence has been revoked or is no longer valid, in case of a second or subsequent conviction - section 61(7)(8)(a)(i)(b)	Rs 20,000	Fine of not less than 20,000 rupees and not exceeding 200,000 rupees and to imprisonment for a term not exceeding 2 years.
18	Putting or permitting a person to put a pleasure craft in respect of which the pleasure craft licence is revoked and there is no longer a valid licence, or allow the pleasure craft to remain in a navigational area - section 61(7)(8)(a)(ii)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years

	Offence	Fixed penalty	Upon Conviction
19	Putting or permitting a person to put a pleasure craft in respect of which the pleasure craft licence is revoked and there is no longer a valid licence, or allow the pleasure craft to remain, in a navigational area, in case of a second or subsequent conviction - section 61(7)(8)(a)(ii)(b)	Rs 20,000	Fine of not less than 20,000 rupees and not exceeding 200,000 rupees and to imprisonment for a term not exceeding 2 years.
20	Failing to produce the pleasure craft licence or a copy thereof at the request of an authorised officer - section 68(1)(2)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 5,000 rupees and to imprisonment for a term not exceeding 3 months.
21	Failing to produce the pleasure craft licence within 5 days at the Tourism Authority or to such police station or National Coast Guard Station as the authorised officer may specify - section 68(3)(4)	Rs 3,000	Fine of not less than 3,000 rupees and not exceeding 25,000 rupees and to imprisonment for a term not exceeding one year.
22	Refusing or neglecting to comply with the direction under section 70(1) - section 70(2)(a)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

	Offence	Fixed penalty	Upon Conviction
23	Breaking the seal affixed to a pleasure craft - section 70(2)(b)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
24	Removing a pleasure craft from a place of safety - section 70(2)(c)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
25	Permitting or employing a person to operate or be in charge of a pleasure craft in a navigational area without holding a valid skipper's licence - section 79(1)(b)(2)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
26	Permitting or employing a person to operate or be in charge of a pleasure craft in a navigational area without holding a valid skipper's licence in case of a second or subsequent conviction - section 79(1)(b)(2)(3)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

	Offence	Fixed penalty	Upon Conviction
27	Operating or taking charge of or causing or permitting any other person to operate a pleasure craft when the person is under age - section 80(1)(2)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 6 months.
28	Failing to comply with section 89(1) in respect of incidents concerning a pleasure craft - section 89(1)(3)	Rs 2,000	Fine of not less than 2,000 rupees and not exceeding 20,000 rupees and to imprisonment for a term not exceeding 6 months.
29	Operating or being in charge of, permitting any other person to operate or be in charge of a pleasure craft or exempt pleasure craft in a navigational area between sunset and sunrise without affixing such lights, lamps or reflectors as prescribed - section 91(2)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 3 months.
30	Failing to comply with a removal notice in respect of a wrecked pleasure craft - section 108(4)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.

	Offence	Fixed penalty	Upon Conviction
31	Sending a pleasure craft in a navigational area in a state such that there is danger of injury to a person - section 113	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
32	Failing to take all reasonable measures to ensure the seaworthiness of the pleasure craft for the trip before the intended trip starts - section 114(1)(a)(2)	Rs10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
33	Failing to keep on board the pleasure craft all safety equipment as may be required under its pleasure craft licence, or as may be prescribed - section 114(1)(b)(2)	Rs10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
34	Making an advertisement or promotion in respect of any tourist enterprise or the commercial use of a pleasure craft or exempt pleasure craft which has the effect of or likely to have the effect of misleading consumers or withholding from them adequate information as to their rights and obligations under any consumer transaction - section 116(1)(a)(4)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.

	Offence	Fixed penalty	Upon Conviction
35	Making an advertisement or promotion in respect of any tourist enterprise or the commercial use of a pleasure craft or exempt pleasure craft which has the effect of or likely to have the effect of otherwise misleading or confusing consumers with respect to any matter related to any consumer transaction - section 116(1)(b)(4)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
36	Failing to withdraw or modify a misleading advertisement or promotion as directed by the Tourism Authority - section 116(2)(4)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.
37	Failing to comply with an enforcement notice in respect of any contravention - section 116A(4)	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding 2 years
38	Failure to comply with a request or direction made by an authorised officer under section 117(1) - section 117(1)(2)	Rs 3,000	Fine of not less than 3,000 rupees and not exceeding 25,000 rupees and to imprisonment for a term not exceeding 6 months.

	Offence	Fixed penalty	Upon Conviction
39	Failing to comply with a request to give name and address or giving a name and address which a police officer has reason to believe is false – section 118(1)(b)(2)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 3 months.
40	Failing to submit in writing, information related to the business as required by the Director - section 122(1)(2)	Rs 1,000	Fine of not less than 1,000 rupees and not exceeding 10,000 rupees and to imprisonment for a term not exceeding 3 months.
41	Obstructing an authorised officer in relation to the exercise of any of his powers - section 124	Rs 3,000	Fine of not less than 3,000 rupees and not exceeding 25,000 rupees and to imprisonment for a term not exceeding 6 months.
42	Knowingly making a false or misleading statement or providing false or misleading information - section 125	Rs 3,000	Fine of not less than 3,000 rupees and not exceeding 25,000 rupees and to imprisonment for a term not exceeding 6 months.

	Offence	Fixed penalty	Upon Conviction
43	Tampering with a pleasure craft or exempt pleasure craft - section 125A	Rs 5,000	Fine of not less than 5,000 rupees and not exceeding 50,000 rupees and to imprisonment for a term not exceeding one year.
44	Touting - section 125B	Rs 2,000	Fine of not less than 2,000 rupees and not exceeding 20,000 rupees and to imprisonment for a term not exceeding 3 months.
45	Failing to comply with any condition of the licence or canvasser permit - section 126(a)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

	Offence	Fixed penalty	Upon Conviction
46	Failing to comply with any rule, standard, guideline or Code of Practice, issued by the Authority - section 126(b)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.
47	Failing to comply with a requirement under section 7(2)(a) - section 126(c)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.
48	Carrying a business or operating a tourist enterprise in a manner contrary to the interests of public health, public order or public safety - section 126(d)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.

	Offence	Fixed penalty	Upon Conviction
49	Contravening the Act or any regulations made under it - section 126(e)	Rs 10,000	Fine of not less than 10,000 rupees and not exceeding 100,000 rupees and to imprisonment for a term not exceeding 3 years.