

EXECUTIVE REGULATIONS OF THE
TOURISM LAW

CHAPTER ONE

DEFINITIONS AND GENERAL PROVISIONS

Article (1): Unless required otherwise by the text,
each of the
Following expressions and wordings shall
have the specific meaning given
opposite each of them:

- 1 - Law:** The Tourism Law issued
by Royal Decree No.
33/2002.
- 2 - Undersecretary:** The Undersecretary of the Ministry of
Commerce and Industry for Tourism.
- 3 - Artistic Groups:** Any artistic group which performs a
musical, singing or folkloric show as
an entertainment service in hotels,
motels, restaurants, private clubs
and on public stages.
- 4 - Private Clubs:** Any private club belonging to a body
or establishment or company licensed
to put on artistic shows.
- 5 - Tourist Restaurants:** Branches of international
restaurants and coffee shops and
also restaurants classified as
Deluxe Class, or First or Second
Class.
- 6 - Show Organizer:** Any company or establishment
licensed to undertake activity
involving the organisation of artistic
shows.
- 7 - Licensing Committee:** The committee formed within the

Directorate General to deal with requests for obtaining different types of tourist licenses stipulated in Article (14) of these Executive Regulations.

Article (2): No person, natural or juridical, shall be permitted to set up any hotel or tourist establishment, or any tourist project, or area or location, or to practise any tourism activity without first obtaining a licence for that from the Ministry.

Article (3): The following conditions should be met for granting tourist licences:

- 1) The licence applicant should be an Omani national, with complete legal eligibility, if the establishment to be set up belongs to an individual, or is a company owned by Omanis, or is a partnership arrangement with foreigners, provided that a copy of the Articles of Partnership signed by the foreign partner is submitted along with the application.
- 2) The licence applicant should not have been convicted of any felony or been awarded any freedom-restraining punishment related to an immoral crime or dishonesty unless he has been rehabilitated.
- 3) He should not have been ordered to close down the hotel or tourist establishment, and three years have not passed since the order was issued.
- 4) The licence applicant should specify the type of tourism activity for which he requires a licence.
- 5) He should submit with the application a copy of the Contract of Tenancy, or of the Land Ownership, together with a copy of the Articles of Incorporation.

- 6) The experience period of the manager responsible for the establishment should not be less than five years in the specialised field of tourism activity, and he should be fully free to perform his position. He should submit a copy of his Labour Card and also a copy of his passport. If he is an expatriate, he should have a Residency Permit to stay in the Sultanate.
- 7) The Commercial Registry's approval of the establishment's proposed name.
- 8) Payment of the licence fees as indicated in the attached Appendix No. (1).
- 9) Submission of the Bank Guaranty as indicated in the attached Appendix No. (2). The bank guaranty should be of an unlimited period, and valid for the entire period during which the establishment practises its tourism activity and it should not be attached to any conditions. The Directorate General may cash the bank guaranty, partially or wholly, to meet any rights due to the Ministry as a result of the establishment practising any tourism activity, including any fines imposed on the establishment for practising this type of activity. The licensee should complete the guaranty within thirty days from the date of notification to do so.
- 10) The application for the tourist licence submitted to the Directorate General should be made out on the form designed for that purpose and it should enclose all the necessary documents.

Article (4): The Directorate General will check the attached documents to ensure their genuineness, conduct a field inspection and then prepare the necessary report for submission to the Licensing Committee.

Article (5): The periods of the tourism licence shall be defined according to the attached Appendix No. (1).

The application for renewal should be submitted at a time not exceeding the following month after the expiry period of the licence and after all the fixed fees have been paid.

In case of any delay in the request for renewal, 10% of the fees value shall be paid for each month of delay with effect from the following month after the expiry period of the licence and by rounding up a fraction of the month as a full month and a fraction of the Omani Riyal as a full Riyal.

Article (6): The fees paid shall not be refunded in case of the licence being cancelled or terminated.

Article (7): The issued licences shall be recorded in the registers prepared for that purpose in the Directorate General. The information and other data entered in such registers shall be considered as secret and nobody shall be allowed to see them. The staff of the Directorate General shall be prohibited from divulging any of that information or data.

Article (8): The licensee should comply with the following when practising his activity:

- 1) He should display the licence in a prominent place.
- 2) The non-Omani employees should have sufficient experience in the field of tourism work.
- 3) The Omanisation percentage decided by the competent bodies should be met.

Article (9): The licence may be amended or relinquished at the request of its owner, who has to explain the type of amendment required or the body in whose favour the relinquishment is required. The conditions for granting the licence to whom the relinquishment is made have to be met in addition to mentioning the reasons for amendment or relinquishment and submitting all the supporting documents and

paying the fixed fees. The licensee shall remain responsible for the implementation of the provisions of these Regulations until the approval of the Directorate General for that has been obtained.

Article(10): In the event of the licensee's death, those to whom the ownership of the hotel or tourist establishment reverts should inform the Directorate General, within two weeks from the date of the death, of their names and also the name of the person who will legally act on their behalf. This deputy shall be responsible for the establishment's activity and they have to take the necessary measures to transfer the establishment's licence to themselves within two months from the date of the death, otherwise the licence shall be cancelled. No licence transfer fees shall be obtained in such a case.

Article(11): The licence shall be considered cancelled in the following conditions:

- 1) If the licensee fails to initiate the executive measures for the setting up of the establishment within six months from the date of issue of the licence.
- 2) If the licensee fails to implement the obligations imposed on him and the conditions that should be put in place.
- 3) If the licensee fails to renew the licence after the passage of (60) days from the expiry date of the licence.
- 4) If the licensee fails to register the licence with the Commercial Registry Secretariat within (60) days from the date of the licence.
- 5) If the person responsible for the management of the establishment fails to meet the value of the bank guaranty during one month from the date of notification to do so.
- 6) If the licensee. relinquishes the

licence or makes changes in the shape of the establishment without the approval of the Directorate General.

- 7) If the licensee carries out activities other than those specified and incorporated in the licence issued to him.
- 8) If the person responsible for the management of the establishment opens branches in any part of the Sultanate without first obtaining the approval of the Directorate General.
- 9) If the post of the manager responsible for the establishment remains vacant, whatever the reason, for more than (90) days.
- 10) If work is stopped for (24) continuous months unless the reasons for the stoppage are beyond the will or wish of the licensee.
- 11) If the licensee requires the cancellation of the licence.
- 12) If the establishment is removed.
- 13) If the establishment becomes unfit for operating or utilization.
- 14) If the licensee declares bankruptcy.

The Director General of Tourism shall issue a decision cancelling the licence.

Article (12): The following documents should be submitted for the renewal of the licence:

- 1) A copy of the passport of the manager responsible for the running of the establishment, provided that he is allowed to stay in the Sultanate if he is an expatriate, together with a copy of the Labour Card issued to him.
- 2) The original of the old licence.
- 3) A list, endorsed by

the competent body, showing the number of the Omani and expatriate staff employed by the establishment.

4) Any document indicating his ownership or lease of the establishment premises.

5) Any document indicating the continued payment of licence renewal fees.

Article (13): The bank guaranty amount shall be returned to its owners after the passage of (30) days from the date of the licence's cancellation or its expiry without renewal, or the start of liquidation arrangements due to bankruptcy or death.

CHAPTER TWO

THE COMPETENT COMMITTEES

Article (14): A Tourist Licences Committee shall be formed through a decision issued by the Undersecretary and in the following order to deal with the granting of the required licences:

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| 1) Director General of Tourism | Chairman |
| 2) Director of Planning & Tourism Development | Deputy Pres. |
| 3) Director of Tourism Affairs | Member |
| 4) Director of Internal Tourism | Member |
| 5) Director of Tourism Marketing | Member |
| 6) Head of Tourist Licences Section | Secretary |

Article (15): This Committee shall deal with the following:

- 1) To study applications for tourist licences and to issue decisions for the granting of licences and defining the conditions that should be met for practising tourism activity or refusing applications with the reasons for refusal indicated.
- 2) To consider the amendment of the licensee's tourism activity or addition of any other tourism activities.
- 3) To consider the cancellation of the licences according to the provisions of Article (11) of these,

Executive Regulations.

- 4) To impose fines in the cases laid down in Section (3) of Article (25) of the Law.

The applications shall be submitted to the Secretary of the Committee so that he can present them to the Committee's Chairman for fixing a date for consideration.

Applications for licences to bring in artistic groups into the country shall be exempted from submission to the Committee.

Article (16): The Committee shall hold its meetings at the Ministry's headquarters and its Chairman shall fix a date for such meetings. The members of the Committee shall be notified about the meeting and be provided with an agenda well before the fixed date of the meeting. The meeting shall not be considered valid unless it is attended by at least three members and provided that the Chairman or his Deputy is among them. The Committee shall issue its decisions with the majority votes of its members in attendance.

Article (17): The Committee should decide the licence applications within a period not exceeding three weeks from the date of submission. The Secretary of the Committee shall inform the applicants about the Committee's decision within a maximum period of ten days.

Article (18): The Undersecretary shall constitute a Technical Committee concerned with the testing of applicants for a licence to practise the profession of a Tourist Guide. This test shall be conducted by those concerned in the

Directorate General and by those specialised in hotel and tourism fields. The test should focus on general information about the Sultanate, especially its history, civilisation, archaeology, culture, and both social and natural environment, in addition to a test in one foreign language at least besides the Arabic language. The aptitude and good appearance of the applicant should also be taken into consideration. The results of the test should be approved by the Undersecretary.

Article (19): The licence for the Tourist Guide shall be issued by the Directorate General as per the form prepared for this purpose and within the limit of the numbers decided for each tourist area or site from among those who have successfully passed the test referred to in the preceding article and in the following order:

- **First Category:** General Tourist Guide, who will practise tourist guidance work in all the governorates and areas of the Sultanate.
- **Second Category:** Regional Tourist Guide, who will practise tourist guidance work in a specific governorate or area.

Article (20): The Directorate General may

grant:

- 1) A temporary licence to any tourist guide to work in another area falling outside the area specified in the licence.
- 2) A temporary licence to any person for training in the field of tourist guidance but for not more than three months.
- 3) A temporary licence to foreign tourist guides accompanying visiting tourist groups but for not more than one month.

Article (21): A Grievances Committee shall be constituted inside the Ministry to consider the applications of those complaining against the decisions issued by the Directorate General or the competent committees concerned with the implementation of the provisions of the Tourism Law and its Executive Regulations. The formation of this committee shall be in the following order:

- | | |
|---|----------|
| 1) The Undersecretary for Tourism | Chairman |
| 2) Director of Legal Dept. at the Ministry | Member |
| 3) Head of the Tourism Committee at the Oman Chamber of Commerce & Industry | Member |

The Secretariat of the Committee shall be assigned to the Director of the Undersecretary's Office.

Article (22): The Committee shall hold its

meetings at the Ministry's headquarters, and its Chairman shall fix the date for the meeting. The members shall be notified about the meeting and provided by an agenda well in advance of the exact date of the meeting.

Article (23): The grievance shall be submitted to the Committee's Secretariat on the form prepared for this purpose, and the Committee's Secretariat shall be assigned the task of entering the complaint in the register set aside for this purpose.

Article (24): The Committee shall fix a date for the consideration of the grievance within one week from the date of such a grievance being lodged with its Secretariat, and it has to inform the complainants about the date

in their places of domicile. It has to ask them to submit any documents its deems necessary.

Article (25): The Committee will consider the grievance within two weeks from the date of its submission to it, after having heard the statements of the parties involved and of those it deems necessary to hear.

Article (26): The Committee shall issue its decisions by the majority votes and these should be based on a reason and signed by its members. The Committee's Secretariat shall enter the decision arrived at into the register set aside for this purpose, and it shall notify those concerned

about the decision of the Committee within one week from the date of its issue.

CHAPTER THREE

BRINGING IN ARTISTIC GROUPS FROM ABROAD

Article (27): The following conditions should be met for bringing in an artistic group from abroad:

- 1) Concerning the Party bringing in the Group:

It should be classified as falling into one of the following categories:

- 1st) A hotel or a motel permitted to practise lodging services activity.
- 2nd) A Deluxe Grade, or First or Second Grade restaurant.
- 3rd) A private club.
- 4th) A contractor permitted to organise artistic parties on public stages.

- 2) Concerning the Artistic Group:

It should be:

- 1st) A singing group of not more than four male or female singers or a musical band consisting of an appropriate number of

musicians so as to fit in with the space of the performance stage made available by the party bringing in the group.

2nd) A dancing group of not more than two male or female singers and not more than five female dancers, and not more than two musicians so as to fit in with the space of the performance stage made available by the party bringing in the group.

3rd) A folkloric group consisting of a number of performers so as to fit in with the space of the performance stage made available by the party bringing in the group.

The age of all the group members should not be less than (21) years at the time of submitting the application.

Article (28): The application for a licence to bring in and operate artistic groups from abroad shall be submitted to the Directorate General on the form prepared for this purpose at least two weeks before the expected date of arrival of group members in the Sultanate.

Article (29): The party bringing in the group should attach the following documents with the application for a licence:

- 1) Corroborative papers related to the practice of the activity for which a licence is required.
- 2) A copy of passport of each member of the group.

3) Two photographs for each member of the group.

4) Any document indicating the approval of the party on whose premises the group will perform.

5) A copy of the contract signed by the party bringing in the group and the representative of the artistic group.

Article (30): The Directorate General will decide the application for bringing in an artistic group from abroad within a maximum period of seven days from the day of submission of the application fulfilling the conditions and details and containing the enclosures and documents stipulated in Articles (27) and (29) of these Regulations.

In case of approval, the applicant shall be notified and a copy of the approval sent – for information – to the following:

1st) The concerned body at the Royal Oman Police.

2nd) The concerned body at the Ministry of National Heritage and Culture.

In case of rejection, the applicant can lodge a grievance against the rejection decision with the Grievances Committee stipulated in Article (21) of these Regulations.

Article (31): The licence shall remain valid for a period of three months on condition that the granted period should not exceed the validity period of the visas issued to the artistic group.

However, the licence may be renewed for another period in

response to a request that has to be submitted at least a week before the expiry date of the licence, and taking into consideration the validity period of the visas issued to the group.

In the event of the sponsorship of the group being transferred to another party, following the approval of the Directorate General and the payment of the fees, the period of the licence shall be for a three-month non-renewable period only.

Article (32): If the departure of a member of the artistic group available in the Sultanate is found necessary on health or other grounds, a replacement application can be submitted to the Directorate General on the prescribed form prepared for this purpose.

This application shall be treated as a new case and shall be subject to the same procedures stipulated in Article (28) and thereafter in these Regulations.

Article (33): In case the licence is lost or damaged, the following procedures shall be followed for obtaining a replacement for the lost or damaged one:

- 1) Notification of the Directorate General.
- 2) Submission of all the documents on the basis of which the old licence was issued.
- 3) Payment of the fees fixed for a lost or damaged licence.

Article (34): The licence to bring in artistic groups shall be abolished in the following cases:

- 1) Expiry of the

licence period without submitting an application for its renewal at the fixed time.

- 2) Non-existence of the justification or the reason that warranted the issue of the licence.
- 3) Issuance of a decision for the suspension or withdrawal or cancellation of the licence when the provisions of the Law or these Regulations are violated.

The Director General of Tourism shall issue a decision to effect such a cancellation.

Article (35): The artistic groups are banned from performing shows on the following religious occasions:

- When the sighting of the new moon of the holy month of Ramadhan is declared until the end of the month.
- From 6.00 p.m. on the Prophet's Birthday Eve until 6.00 p.m. of the Prophet's Birthday.
- From 6.00 p.m. on the Ascension Day Eve until 6.00 p.m. of the Ascension Day.
- From 6.00 p.m. on the Mount Arafah Gathering Eve until 6.00 of the Arafah Day.
- From 6.00 on the Hijreya (New Islamic Year) Eve until 6.00 on the new Hijreya Day.

Hotels of Three-Star Category and above shall be allowed to bring in one or two or three artistes to perform Eastern musical compositions at the hotel's garden or near the swimming pool or inside one of its halls during the holy month of Ramadhan after the late night prayers until 3.00 a.m. the following morning as per a licence from the Directorate General.

Article (36): The party bringing in the artistic groups must comply with the show timetables indicated in the attached Appendix No. (3).

Article (37): Hotels, motels, restaurants and clubs shall be permitted to perform their shows beside, near or around the swimming pool throughout weekdays from 8.00 p.m. until 12. o'clock midnight. The timing can be extended until 2.00 a.m. the following day of the New Year night.

Article (38): Hotels, motels and clubs shall be permitted to bring in more than one artistic group at one time according to the number of show places allowed to have and in the following order:

- One and Two-Star motels, clubs and hotels: Two groups at one time as a maximum (restaurant or coffee shop + bar).
- Three-Star hotels: Three groups at one time as a maximum (restaurant + coffee shop + bar).

- Remaining hotels: More than three groups according to the number of show places allowed to have but not exceeding five groups at one time as a maximum.

Article (39): The licensed restaurants have to designate only one place for presenting artistic groups' shows. They may also be allowed to designate other places with the approval of the Directorate General, with permission to

bring in other groups in accordance with the provisions of these Regulations if the place is designed for that, but not exceeding two artistic groups as a maximum.

Article (40): The audience shall be allowed to perform duo- dancing when folkloric shows are presented or when musical bands play music provided that the venue of the performance is designed for that.

Article (41): The party licensed to bring in artistic groups from abroad shall be allowed to put out an advertisement through the different forms of media about the arrival of the artistic group, showing the timings and venues where shows will be performed. The party may put such an advertisement on the notice board at the building where shows are allowed to be performed, but only after the advertisement has been approved by the Directorate General and fees paid within two days of the application being submitted.

Article (42): The party bringing in artistic groups shall comply with the following before bringing in any such groups:

- 1) To complete all the required procedures as per these Regulations and the rules in force in the Sultanate.
- 2) To appoint an agent to receive the members of the group at the arrival point.
- 3) To provide the members of the group with suitable

accommodation.

- 4) To arrange appropriate mode of transportation for the use of the members of the group throughout the period of their stay in the Sultanate.

Article (43): The party bringing in the artistic group shall comply with the following upon the arrival of the group:

- 1) To draw the attention of the members of the artistic group to their compliance with a proper code of dress in public places.

- 2) To draw their attention to the following prohibitions:

and
shows.

- Violating general rules of good conduct
public behaviour while performing the

- Performances by dance groups
in bars and
coffee shops.

- Allowing customers to enter
changing rooms
or to appear on stage.

- Singing songs that contain wordings of a
religious or political nature or abusive or
offensive wordings.

the
after

- Offering or throwing garlands or money for
members of the group before, during and
the shows.

or
or
the

- Disturbing the clients of hotels and motels, members of the private club or restaurant residents of the surrounding areas.

- Dance performances by the members of artistic group wearing Omani dress.

- Playing a tape-recorder instead of a singer and musicians except during the break periods.

- Offering any member of the group mobile phones in any form and for whatever purpose.

the

- 3) To appoint security guards at the places where artistic shows are performed and to ensure their presence there throughout performance period.

- 4) To apply safety and security conditions at the place of shows as decided by the Directorate General of Civil Defence and Directorate General of Operations at the Royal Oman Police.

- 5) To comply with the payment of the financial dues to the group as per the contract signed with it.

- 6) To ensure the departure of the group immediately after the expiry of the licence.

Article (44): The party bringing in artistic groups shall not allow the members of the artistic groups nor are they themselves allowed to perform at other parties without the prior approval of the Directorate General.

Article (45): The party bringing in an artistic group has to inform the Directorate General in writing within 12 hours of any violation or trespassing committed by any of the group member as well as any offences committed against them by others.

Article (46): The party bringing in an artistic group is fully responsible for the lyrics of the songs and for anything presented on the show stage concerning matters related to good manners and security exigencies.

Article (47): In case of perpetration of any of the violations specified in the attached Appendix No.(4) by the artistic group or the party bringing in a group, they shall be liable to the penalties shown against each one of them.

CHAPTER FOUR

SETTING UP OR UTILIZATION OF TOURIST AREAS OR SITES

Article (48): In addition to the documents stipulated in Article (3) of these Regulations, the following documents should be attached to the application for obtaining a licence to set up or utilise tourist areas or sites:

- 1) Any document to indicate that the project required for utilization is related to tourism development.
- 2) Any document to indicate that the area of the project required for_{rr}

utilization conforms with the size, importance, location, purpose and activity of the project.

- 3) A preliminary study of the project.

Article (49):The licensee shall be obliged to maintain the tourist area or site allocated to him and shall observe the hygienic and environmental conditions required as per the rules and decisions in force.

Article (50): The licensee shall be obliged to utilise the tourist area or site according to the purposes and conditions decided by the Ministry.

CHAPTER FIVE

ORGANISATION OF HOTEL AND TOURIST ESTABLISHMENTS

Firstly: Permission to set up and run Hotel or Tourist Establishments:

Article (51): In addition to the documents stipulated in Article (3) of these Regulations, the following documents should be attached with the application for a licence to set up hotel and tourist establishments:

- 1) A preliminary study of the project.
- 2) Four copies of the architectural drawings approved by_{۲۲}

an engineering consultant's office.

- 3) An approved copy of documents for the setting up of the company or the establishment and also of corroborative papers of the person responsible for it.

Article (52): The hotel or tourist establishments should meet all general conditions and special construction and engineering conditions besides other conditions to be decided by the competent bodies.

Article (53): No person, natural or juridical, shall set up any hotel or tourist establishment or practise any tourism activity without first obtaining a licence for that from the Ministry.

Article (54): Each hotel or tourist establishment should have a manager to be responsible for running it. He should have sufficient experience of not less than five continuous years in the field of hotel or tourist establishment management.

Article (55): The following documents should be attached with the application for a licence to run hotel or tourist establishments:

- 1) Adequate information about the activity of the company that will run the establishment, together with the curriculum vitae (CV) of the manager who will be selected by the company to run the establishment.
- 2) An identical copy of the manager's ID or passport along with two

photographs.

- 3) A copy of the agreement signed by the establishment owner and the company that will run the establishment.

Secondly: Grading of Hotel and Tourist Establishments:

Article (56): The Directorate General shall grade the hotel and tourist establishments on the basis of the following grading standards:

1) Hotels:

- a) Five-Star Deluxe Hotel
- b) Five-Star Hotel
- c) Four-Star Hotel
- d) Three-Star Hotel
- e) Two-Star Hotel
- f) One-Star Hotel

2) Hotel Apartments and Motels:

- a) Three-Star Apartments or Motels
- b) Two-Star Apartments or Motels
- c) One-Star Apartments or Motels

3) Tourist Restaurants:

- a) Super Grade Restaurant
- b) First Grade Restaurant
- c) Second Grade Restaurant
- d) Public or Local Restaurant

4) The Approved Tourist Camp:

Article (57): Hotel and tourist establishments are graded on the basis of their location, standard, capacity in terms of number of rooms, the exterior shape, the entrance, the lobby, the

reception area, the car parks, the area of the rooms and the amenities attached to them, their furniture and the quality and range of services offered according to the standards and conditions of hotel and tourist establishments grading.

Article (58): The owner of the establishment may lodge a grievance against the grading decision within fifteen days from the date of being notified of that. The Grievances Committee stipulated in Article (21) of these Regulations shall resolve such a grievance.

Article (59): The owners of the hotel or tourist establishments, or those responsible for managing them, have to display the distinguished mark for the grade of the establishment in a prominent place and in the form to be decided by the Directorate General. They also have to print the mark on all the establishment's publications and circulars. The owners of the hotel establishment or those responsible for managing it should comply with the minimum limit of prices for rooms and they should display the price lists, made out both in Arabic and English and approved by the Ministry, in a prominent place. These price lists should also be placed inside the rooms and at the Reception.

Article (60): The Directorate General shall publish booklets containing a detailed description of the controls and standards of grading for hotel and tourist establishments, and shall facilitate the task of obtaining them

by those dealing with it and others at a price of R.O.2 per booklet.

Article (61):The Directorate General should immediately send a warning to the hotel or tourist establishment that has violated the general and particular conditions that should have been in place in the establishment in order to remove the reasons for the violation within seven days at the latest. The Undersecretary of the Ministry shall issue a decision suspending the establishment's tourist licence in case of continuation of the violation until the reasons of the violation are removed and with the imposition of a fine not in excess of (R.O.300).

Article (62): If the inspection of the establishment proves that its standard has come down in a way that it does not

conform with the grade allotted to it or with the prices approved for it, the Directorate General shall reconsider its grade and prices and decrease them to conform with the standard it has ended up in but after warning it and granting it a grace period of not more than sixty days to address the reasons for the decline and to reach again the standard for which it was graded.

Article (63): The owners of the hotel and tourist establishments, or those responsible for them have to submit a request to the Directorate General to reconsider the grading standard for establishments and the fixed prices if they have reasons to justify that. They may do so through the following procedures:

- 1) An application is submitted to the Directorate General explaining the reasons that justify the amendment of the hotel's grading standard and the prices fixed for it, enclosing with it the supporting documents.
- 2) The Directorate General will enter the application in a special register prepared for this purpose, showing the name of the establishment and the date of receiving the application.
- 3) The Directorate General will examine the application to confirm its seriousness by conducting necessary inspections and examining all papers and documents.
- 4) The applicant will be notified of the results of his application's examination within fifteen days.
- 5) In the event of approval, the new prices shall take effect from the first of next January from the date of approval.

In case of the application being rejected, the applicant may lodge a grievance against the rejection decision with the Grievances Committee stipulated in Article (21) of these Regulations.

Article (64):The graded hotel and tourist establishments shall be entered in

the register prepared for this purpose.

Thirdly: Commitments and Rights of Hotel and Tourist Establishments towards their Customers:

Article (65):The hotel establishments have to observe the following:

- 1) Not to allow room occupants and visitors to accompany minor girls unless in the company of a close relative.
- 2) To enter full details in a special register of individuals visiting hotel residents.
- 3) To forward a daily statement to the Royal Oman Police giving the names of the hotel residents, their nationalities, dates of arrival, duration of stay and dates of departure.
- 4) To keep records for entering details of room reservations in addition to other necessary financial and accounts records.
- 5) To present information and statistics required by the Directorate General.

Article (66):Hotel and tourist establishments should comply with the following:

- 1) Not to occupy reserved rooms in the hotel establishment unless the owner of the reservation fails to present the required guarantees.
- 2) To allow the occupancy of vacant rooms to those requiring to reserve them.
- 3) Not to force

stay in a room of two or more beds when single bed rooms are available for occupancy.

- 4) Not to deny the over-night stay or the taking of meals, food or drinks to any conditions.
- 5) The hotel resident should be presented with a bill for the amount of money due for payment to the establishment.
- 6) The Royal Oman Police should be notified of any personal belongings of establishment residents that are found after their final departure and these should be kept in safe custody at the establishment and the customer informed by any possible means.

Article (67): The hotel and tourist establishment has to serve meals as per the request of the customer and according to the varied menus.

Article (68): The hotel or tourist establishment has the right to retain the luggage, clothes and other personal belongings of the customer in case of failure to settle the bill. In addition to that, the establishment has the right to demand the customer's immediate departure.

Article (69): The hotel or tourist establishment shall request hotel residents or its visitors not to cause any noise that may disturb the customers, such as the use of a radio set or TV or any other

appliances.

Article (70): Reserved rooms shall not be relinquished in favour of any other person unless written approval is obtained from the hotel establishment and after the confirmation of such approval by entering it in its records.

Article (71): The customers of hotel establishments should vacate the places occupied by them by the end of the period agreed upon.

If the stay is for an unlimited period, the hotel establishment should notify the customer to leave the room on the fixed dates decided by the establishment management, otherwise the customer has to pay charges for the next day.

Article (72): The customer shall not be allowed to bring animals into the hotel establishment in which he stays without the approval of the establishment management. In case of approval being given, the animals should be confined to customers' rooms without their showing up in any other place, especially the lobby and the dining halls. The customer shall be held responsible for any damage caused by these animals to the establishments or to others.

Article (73): The customer shall not be allowed to cook food or prepare food or drinks by himself or inside his room unless he is permitted to do so by the establishment's system.

Fourthly: Room Reservation System:

Article (74): Requests for room reservation from the hotel establishment

management shall be made before the arrival of customers by sufficient time.

The request for reservation should include all the necessary details about the customers, and the reservation shall not be considered as confirmed until after the approval of the management of the hotel establishment.

Room reservation shall be confirmed by its entry in the register prepared for this purpose.

Article (75): The individual who has made a reservation may cancel or alter it after notifying the hotel establishment management within the period fixed by the establishment for that.

Article (76): If the reservation is cancelled or altered after the date fixed by Article (75), the establishment shall demand the settlement of the rates of the rooms and places that have been reserved for the period during which these places could not be utilized and also the costs of services and other arrangements borne by the establishment due to such a reservation.

Fifthly: Tourist Services Charges:

Article (77): The hotel and tourist establishments shall charge the customer a 4% tourist service charge on the total bill which a customer has to pay in addition to the Municipality's fixed taxes.

The establishment may levy a service charge of not more than 8% on the total bill a customer has to pay.

Article (78): The hotel and tourist establishment shall pay to the Directorate

General tourist service charges, as stipulated in the preceding article, on a monthly basis but within a period not exceeding the end of the following month. The payment shall be supported by a detailed statement of accounts showing the total monthly income of the hotel or tourist establishment and the amount of fees. The enclosed statement should be forwarded with the last payment at the end of the financial year and it should indicate the amount of fees that have been paid during the year.

All the statements of accounts referred to above should be approved by the manager responsible for the establishment or his deputy, who will be responsible for that.

Article (79): A yearly financial fine of (10%) out of the total value of the payable charges shall be imposed for the period of delay.

CHAPTER SIX

STIPULATIONS REGULATING THE TIME-SHARING SYSTEM

Article (80): The Ministry shall, in co-ordination with the Ministry of Housing, Electricity and Water, the Ministry of Regional Municipalities, Environment and Water Resources, and other competent bodies, define the hotel and tourist establishments to be utilized or run on a time-sharing system, and also to specify the

companies and the persons with the right to utilize or manage such

establishments on a time-sharing system.

Article (81): The setting up of a new hotel or tourist establishment for utilization or management on a time-sharing system shall not be permitted nor shall be permitted the change of mode of utilization or management of an existing establishment to a time-sharing system.

Article (82): In addition to the documents stipulated in Article (3) of these Regulations, the application for obtaining a licence to utilize hotel and tourist establishments on a time-sharing system shall be submitted together with the following documents:

- 1) A statement of the total proposed cost for the utilization of the residential unit and the amount of payment made at the time of signing the contract.
- 2) A statement of the number of time-periods proposed for dividing the year into provided that each period is not less than a week.
- 3) Any document showing the approval of the establishment owner of the change in the mode of utilization of the rented establishments.
- 4) Architectural drawings of the existing building approved by the office of an engineering consultant.
- 5) A technical

report issued by a competent body showing the condition of the building and its suitability.

Secondly: Permission to Deal with Foreign Companies for Marketing or Exchanging Time-Sharing Weeks:

Article (83): In addition to those documents provided for under Article (3) of these Regulations, the application for

obtaining a licence to deal with foreign companies for marketing or exchanging time-sharing weeks should be submitted along with the following documents:

- 1) A commercial agency contract signed, in accordance with the Commercial Agencies Law in force in the Sultanate, with the resort or the hotel or tourist establishment that markets its units on the basis of a time-sharing system.
- 2) Any document to indicate that the resort or the hotel or tourist establishment is actually existing and that a period of five years at least has elapsed on the marketing company's practice of the activity.
- 3) An approved budget for a previous year for the resort or the hotel or tourist establishment whose units are being marketed by the establishment or company.

- 4) Any document to indicate that the foreign company is licensed to manage and market the time or time period for the holiday.

Thirdly: Ownership and Utilization of Hotel or Tourist Units as per the Time-Sharing System:

Article (84): The hotel or tourist establishment shall conclude contracts for those wishing utilization of the time-sharing system on the following basis:

- 1) Ownership of a common share with time sharing: In this case, more than one person shall have the joint ownership of the hotel or tourist unit and they, and after them their heirs or successors, shall alternately utilize it for the duration agreed upon among them (one week or more yearly).
- 2) Right for utilization by time sharing: In this case, the person and, after him, his heirs or

successors, shall utilize a hotel or tourist unit owned by others in return for a cash amount and for a limited period of time (one week or more yearly) and on an alternate basis with other beneficiaries who have signed a contract with the owner of the unit. The beneficiary may relinquish his utilization right in favour of another person within the limit of the duration

agreed upon.

- 3) Right of use through time-sharing: In this case, the person and, after him, his heirs or successors shall use hotel or tourist unit owned by others in return for a cash payment and for a limited period of time (one week or more yearly) and on an alternate basis with others who have signed a contract with the unit owner, without relinquishing his right of use to another person.

Article (85): The year shall be divided into time periods calculated on a weekly basis, and each beneficiary shall have the minimum period of one week unless agreed otherwise by the two parties.

Article (86): The contracts for the utilization of the hotel or tourist units on a time-sharing system shall be written in Arabic and English languages if the contracting beneficiary is resident in the Sultanate, or if the hotel or tourist unit is located in the Sultanate.

These contracts shall be made out of three copies, with each of the contracting party receiving a copy, while the third copy shall be deposited with the Directorate General. All the contracts applying to hotel or tourist establishments that are utilized or managed on the time-sharing system shall be registered with the Commercial Registry Secretariat at the Ministry of Housing, Electricity and Water.

Article (87): The contracts for common share ownership and utilization right of a hotel or tourist unit on the time-sharing system shall not end with the demise of the beneficiary but shall transfer to his

legitimate heirs or

successors, and the division of the unit shall not be allowed. If his heirs make a claim for the value of the unit, the utilizer shall sell it off for them.

Fourthly: Obligations of the Establishment Owner or Utilizer:

Article (88): The owner of the hotel or tourist establishment or its utilizer shall be obliged, as the case may be, to hand over the contracted unit to the beneficiary on the date specified in the contract, completely equipped and furnished and fit for use for the purpose agreed upon.

Article (89): The owner of the establishment or its utilizer shall be obliged, as the case may be, to carry out all the necessary cleaning and maintenance works inside the units and their contents, including the replacement and renewal of all furniture and internal appliances in a way that shall always make them appear in a good condition and ready for use as per the recognised and applied tourism standards. The fees for replacement and renewal should be defined and made known at the time of signing the contract and also to be approved by the Directorate General.

Article (90): The owner of the establishment or its utilizer shall be obliged to offer the basic hotel services to the units' beneficiaries throughout the duration of their stay, and shall also make available to them the shops that shall supply them with required daily consumer goods unless agreed otherwise.

Article (91): The owner of the establishment or its utilizer shall be obliged not to demand from the beneficiaries, when using the units allotted to them, any fees in excess of the prices approved by the Directorate General. Also, the owner shall not refrain from offering full services to the utilizer at those prices.

Article (92): The owner of the establishment or its utilizer shall, as the case may be, return to the beneficiary all the amounts that he has paid in case of his not being able to enter the Sultanate, or entered but has not

been able to obtain legal residency in the country. However, a deduction shall be made against whatever actual utilization he may have made of the unit allotted to him.

Article (93): The owner of the establishment or utilizer shall be obliged, according to the circumstances, to maintain an accounts book whose pages shall be ratified by the Directorate General for the purpose of recording in it detailed information about the beneficiaries of the time-sharing system with the establishment, including the name of the beneficiary, his address, the number of the contract signed by him and the establishment, the date of the period allotted to him and the number of the unit covered by the contract.

The Directorate General shall assume the task of examining the details of the accounts book at any time and shall report about any violation pertaining to the book's entries.

Article (94):The owner of the establishment or utilizer shall be obliged to provide

the Directorate General with a copy of the contracts signed with the beneficiaries of the time-sharing system and shall confirm their contents and details in the register prepared for this purpose at the Directorate General. The copy of the beneficiary and that of the owner or utilizer should be stamped to indicate its entry in the above-referred register.

The Directorate General should be notified of any amendments to the contract by means of a registered letter.

Fifthly: The Rights and Obligations of the Beneficiary:

Article (95): The beneficiary of a hotel or tourist unit on the basis of a time-sharing system shall have the right to withdraw from the contract within fifteen days of its being signed at the most. In such a case, a sum, not exceeding (10%) of the advance payment value, shall be deducted against the necessary expenses. The beneficiary has to notify the party with whom he has signed the contract of his withdrawal from the

contract through any means that can legally be confirmed.

Article (96): The beneficiary may make a request for changing the time period allotted to him. Also, he may, after having notified the owner and utilizer of the establishment, as the case may be and through a registered letter, and at least one week before the time period allotted to him falls due, exchange that period with another beneficiary or relegate it to him in the same unit or for a similar one in another

establishments either inside the Sultanate or abroad in accordance with the conditions stipulated in the contract.

Article (97): The beneficiary of the time-sharing system shall not be allowed to sub-let the unit or give it away to another beneficiary without written notification to the owner or utilizer as the case may be and at least two months before the time period for the annual use of the unit falls due.

The sub-tenant and the person to whom the unit has been given shall be obliged to pay to the beneficiary directly any compensation due to him as a result of utilization or relinquishment but without any prejudice to any rights the owner or the utilizer may have towards the beneficiary.

Article (98): The beneficiary of the time-sharing system shall be obliged to use the hotel or tourist unit allotted to him for the purpose laid down in the contract and should not expose it to any damage or misuse. Should he or any of his family members cause any damage to the unit, he shall be obliged to pay all the necessary costs to make good the damage caused.

Article (99): The beneficiary shall be obliged to observe the rules and regulations concerning general health and tranquility as well as the obligations for good neighbourliness and non-abusiveness of his right of use.

Article (100): The beneficiary shall be obliged to settle all the payable financial obligations as per the contract.

In case of his failure to settle such financial obligations, the owner or utilizer of the hotel or tourist establishment shall stop him from such a benefit until settlement has been made.

CHAPTER SEVEN

ORGANIZATION OF TRAVEL AND TOURISM OFFICES

Article (101):Travel and tourism offices shall be considered as among tourism activities and, thus, shall undertake business activities related to travel, aviation and tourism and be engaged in offering the kind of services stipulated in Article (18) of the Law.

The organisation of tourist trips for individuals and groups should necessitate the availability of a licensed tourist guide to offer guidance and information during any such trip whether inside the country or outside.

Article (102):The provisions governing travel and tourism offices shall apply to aviation, tourist transportation and tourist marine navigation companies that intend to exercise and perform the activities and services stipulated in Paras 2,4 and 5 of Article (18) of the Law. Excluded from the above provisions are the suppliers of services necessary for the performance of Al-Haj (Pilgrimage) and Umrah (Minor Pilgrimage) obligations.

Article (103):The licensed office should submit to the Directorate General once every six months sufficient details about the tourist programmes that it has carried out, explaining the following:

- 1) Names and addresses of hotels and other places where tourist groups^{εϚ}

have stayed.

- 2) Numbers and nationalities of tourist groups.
- 3) Names of companies that have sent out tourist groups to the Sultanate and with whom the office deals.
- 4) The places from which tourist groups have come.
- 5) Name and nationality of the carrier and mode of transportation.

In case of discovery by the Directorate General of any violation of the provisions of the Law or these Regulations, it has to take the necessary legal measures against the violating office in accordance with Article (25) of the Law.

CHAPTER EIGHT

ORGANISATION OF TOURIST TRANSPORTATION ACTIVITIES

Article (104): The following documents should be presented along with the application requesting a licence to practise tourist transportation activities:

- 1) Numbers, details and descriptions

of mode of transportation.

- 2) Corroborative documents and certificates of driver or crew members of mode of transportation.
- 3) Insurance policy covering passengers.

Firstly: Tourist Land Transportation:

Article (105): The coaches for tourist land transportation should meet the following conditions:

- 1) The number of seats should not be less than (15) seats.
- 2) It should not be more than three years old since the date of manufacture.
- 3) It should be air-conditioned and equipped with an appropriate fridge.
- 4) It should have a toilet and a small kitchen if it has (40) seats and above.
- 5) It should be fitted with fire-extinguishers, a microphone, a TV set, a DVD appliance, and a front seat for the guide as well as a First Aid Box.
- 6) The driver of the coach should be an Omani national and in possession of a Heavy Vehicle Driving Licence and trained to provide First Aid services.

Article (106):The vehicles for tourist trips to desert or mountainous areas or valleys should meet the following conditions:

- 1) It should be of a 4-Wheel Drive type.
- 2) It should not be more than three years old since the date of manufacture.
- 3) It should be fitted with a (GPS) navigational compass and a mobile phone.
- 4) It should be equipped with a First Aid Box.

- 5) The driver of the vehicle should have attended a course in driving skills for desert and rough terrain, and should have also been trained by competent bodies to offer First Aid and Safety services.

Article (107): All the drivers of car rental companies and establishments engaged in tourism activities should be Omani nationals.

Secondly: Tourist Marine Transportation:

Article (108): All ships, yachts or marine units should meet the following conditions:

- 1) The marine unit should be registered with the Ministry of Transport and

Telecommunications.

- 2) It should possess a valid marine/navigational licence.
- 3) It should be equipped with life-jackets, one for each passenger, as well as other safety and security apparatuses.
- 4) It should be fitted with a First Aid Box.
- 5) It should have a spare engine meeting the specifications fixed by the Ministry of Transport and Telecommunications.
- 6) The marine unit should have a captain, a co-captain and specialized technicians.
- 7) The marine unit should also meet the other conditions required by the Ministry of Transport and Telecommunications, the Ministry of Regional Municipalities, Environment and Water Resources, and the Royal Oman Police.

Article (109): The establishment owning or hiring the ship or yacht should provide an insurance policy covering the passengers.

Article (110): The captain of the ship or yacht or marine unit should comply with the following:

- 1) Not to

approach military zones or any other prohibited areas.

- 2) To inform the ROP Coastal Guard Unit or the Anchorage of departure and return both before and after the sea voyage.
- 3) Not to allow on board passengers in excess of the number limited to the capacity of the ship or yacht or marine unit.
- 4) To comply with marine environment and sea-diving conditions.
- 5) To comply with all the rules, procedures and controls fixed by the competent bodies.

Thirdly: Tourist Air Transportation

Article (111): The tourist establishment shall be allowed to own or charter a number of planes for the purpose of transporting individuals and tourist groups provided that such planes and their pilots and crew members meet the conditions and specifications set by the Directorate General of Civil Aviation and Meteorology at the Ministry of Transport and Telecommunications and the International Civil Aviation Organisation.

CHAPTER NINE

ORGANISATION OF OTHER TOURIST ACTIVITIES

Firstly: Organisation of Festivals and Other Tourist Activities:

Article (112):No person, natural or juridical, shall be allowed to organise a tourist festival or activity unless he has a licence from the Directorate General to do so and after having paid the fixed fees.

Article (113):The application for a licence to organise a festival or any tourist activity has to be submitted together with the following documents:

- 1) An overall idea/concept of the intended festival or activity.
- 2) Details about the number and type of appliances to be used in the festival or activity.
- 3) A comprehensive insurance policy covering the venue and the appliances.

Article (114):Government bodies intending to organise a festival or a tourist activity shall be allowed to coordinate with the Directorate General, and with the Directorate General participating in committees concerned with the organisation of the arrangements for the festival or activity and the laying down of the promotional programmes and necessary marketing.

Secondly: Organisation of Marine Sporting Activities

Article (115):The setting up of a centre or club for exercising diving sport or renting aqua scooters (Jet Skis) and tourist boats shall not be permitted without a licence from the Directorate General and after the payment of the fixed fees.

Article (116):The application for a licence to organize marine sporting activities should be submitted with the following documents in addition to those stipulated in Article (3) of these Regulations:

- 1) Detailed information about the site on which the club will be set up and also the sites where diving and aqua scooter (Jet Skiing) activities will take place in addition to information about the number of boats and aqua scooters.

- 2) Anything indicating the availability of a complete life-saving team with adequate experience in

marine saving operations. The manager of the diving club should have obtained a (PADI) Certificate.

- 3) Anything indicating the approval of the Ministry of Transport and Telecommunications, the Royal Oman Police, and the Municipality of the region in which the activity will be held.

- 4) An insurance policy covering the captain of the boat or aqua scooter and the passengers.

Thirdly: Organising Amusement Places and Centres:

Article (117): No person, natural or juridical, shall be allowed to set up or operate any amusement place or centre

without a licence from the Directorate General and after having paid the fixed fees:

Article (118): In addition to the documents stipulated in Article (3) of these Regulations, the following documents should be submitted with the application for a licence to organise amusement centres and places:

- 1) A catalogue showing the equipment used in the games.
- 2) Detailed information about the site where the amusement place will be set up.
- 3) Anything to indicate the approval of the Royal Oman Police and the Municipality of the region.
- 4) Anything to indicate that all the conditions of safety and security pertaining to the game machines and equipment have been met.

Article (119): The amusement places and centres should meet all security and safety measures laid down for the purpose by the Royal Oman Police and the Municipality of the Region concerned in coordination with the Directorate General.

Fourthly: Organising Fashion Shows

Article (120): No person, natural or juridical, shall be allowed to organize fashion shows unless without a licence from the Directorate General and after the payment of the fixed fees.

Article (121):In addition to the documents stipulated in Article (3) of these Regulations, the following documents should be attached with the application for a licence to organize fashion shows:

- 1) An overall idea/concept of the shows.
- 2) Detailed information about the venue where the shows will be held.

Article (122):Five-Star and Four-Star category hotels and other bodies in possession of licences to practise the activity of organising fashion shows shall be allowed to hold such shows in hotel halls after having received permission for doing so from the Directorate General.

Fifthly: Organising Lucky Draw Nights

Article (123):No person, natural or juridical, shall be allowed to organize any Lucky Draw Nights except with a licence from the Directorate General and after the payment of the fixed fees.

Article (124):The application for a licence to organize a Lucky Draw Night should be accompanied by a programme for the night and detailed information about the venue where it will be held.

Article (125):The organisation of such nights shall be restricted to Five, Four and Three-Star hotels and on condition that there is special space for the practice of such activity. Space for such activity should be separate and far from hotel rooms, residents and guests and should have a

separate entrance and toilets of its own.

The organisation of such evenings shall be prohibited during religious festivals as indicated in Article (35) of these Regulations.

CHAPTER TEN

TOURIST GUIDANCE

Article (126): No person shall be allowed to practise tourist guidance activity unless he has obtained a licence for that from the Ministry.

Article (127): Any person wishing to obtain a licence for practising such an activity should meet the following conditions:

- 1) Should be an Omani national.
- 2) Should not be less than 21 years of age and should be fully qualified for the profession.
- 3) Should be of good character and reputation and should not have been awarded a sentence for a felony or received freedom-restraining punishment for dishonesty or integrity unless he has been rehabilitated.
- 4) Should be medically fit.
- 5) Should have an appropriate educational qualification with

sufficient training in the field of tourist guidance.

6) Should speak one foreign language besides Arabic.

7) Should be well conversant with general knowledge about the Sultanate, especially its history, civilisation, archaeology, heritage and

culture, and social and natural environment and, in addition, should successfully pass the tests set by the Directorate General in this regard.

The Undersecretary may, in case of necessity, exempt him from conditions 1 and 6.

Article (128): The application for a licence to practise tourist guidance profession should be submitted along with the following documents:

- 1) An identical copy of ID or passport together with two recent photographs.
- 2) A crime-free record of the applicant.
- 3) A copy of the educational qualification.
- 4) A copy of Labour Card for non-Omanis.

Article (129): The application shall be recorded in the Register for ^{or} Licence

Applications under a serial number, and the applicant given a receipt showing the application entry number, date and the documents enclosed with it.

Article (130): The tourist guide shall be exempted from paying the fees fixed for entering any tourist areas or sites.

Travel and tourism offices have, at the time of organizing tourist trips, to seek the assistance of a tourist guide to accompany tourist groups as per an agreement between them.

Article (131): The tourist guide may ask for a change in the type of licence issued to him from Category One to CategoryTwo or vice versa, provided that he submits the following papers with his request for a change:

- 1) A recommendation letter from the tourism company he is working for, if he is an employee of such a company.
- 2) Details of the type of licence required to be changed and reasons for such a change.
- 3) Passing the Tourist Guidance Test to be conducted by the Directorate General.

Article (132):The licence issued for the purpose of exercising tourist guidance work shall be considered personal and shall not be relinquished in favour of any other person. Moreover, the licensee has to return it to the Directorate General in case of his discontinuation of the profession or its cancellation or the expiry of its validity without being renewed or

the departure from the Sultanate of its non-Omani holder.

Article (133):The Directorate General shall maintain a register of tourist guides permitted to practise the profession and it should contain the following information:

- 1) Name, nationality and address of the tourist guide.
- 2) ID or passport number and name of employer.
- 3) Educational qualification, past experience and languages spoken.
- 4) No. of receipt of payment of fixed fees.
- 5) No. and category of licence issued to him and its validity period.
- 6) Violations committed by the tourist guide, penalties awarded to him and their dates.

Article (134): The licensee should submit the following along with his application of renewal:

- 1) A medical certificate confirming his fitness to continue working as a tourist guide.
- 2) Any proof of his successfully passing any course in the field of tourist guidance.

Article (135): The licence issued for practising tourist guidance work shall be cancelled in the following cases: ∞∞

- 1) If the guide asks, in writing, to be excused from continuing the job.
- 2) If the guide is unable to perform his job.
- 3) If a final sentence for a criminal offence or for a crime violating honesty and integrity has been awarded to the guide.
- 4) If the guide commits serious violations harming tourists or the reputation of the country.
- 5) If the guide fails to renew the licence after two months of its expiry date.
- 6) If the period fixed for temporary licences has expired.

The Director General of Tourism shall issue a decision to effect the cancellation.

Article (136): The tourist guide should comply with work ethics, principles of honour and honesty and rules of decency and decorum in dealing with others, and should carry out all the tasks assigned to him.

Article (137): The tourist guide is prohibited from the following:

- 1) Practising his profession as a tourist guide inside military zones or within the areas of the

Sultanate's international frontiers or inside customs departments or areas at both seaports and airports.

- 2) Arguing about political or religious issues in a manner contradicting with public order and behaviour.

Article (138): The tourist guide should, if asked, produce the licence as well as the work order assigned to him to

the officials of the Directorate General and the competent officials of the Judicial Control.

Article (139): Every tourist guide should be disciplinarily answerable for the contravention of the tasks stipulated in Articles (136), 137) and (138) of these Regulations or for committing acts harmful to tourists or the country's reputation.

The Ministry's Legal Department shall conduct inquiry proceedings with the tourist guide when committing any of the above-mentioned violations and shall present the results of its inquiry to the Minister or whoever he authorises. It should include the proposed punishment to be awarded to the tourist guide.

Article (140): If the violation against the tourist guide is proved, the Minister or whoever he authorises, shall impose the following disciplinary penalties:

- 1) A fine of not more than R.O.50.

- 2) Suspension from practising his profession for a period not exceeding two months.
- 3) Deprivation of the right to practise tourist guidance activity in some tourist areas.

The Minister or whoever he authorises has the right to suspend the tourist guide from practicing his profession temporarily until the completion of the inquiry into the criminal offences he has been charged with.

CHAPTER ELEVEN

MANAGEMENT OF THE TOURISM DEVELOPMENT FUND

Article (141): The Committee for the Management of the Fund shall take charge of the functions stipulated in Article (23) of the Law.

Article (142): The Chairman of the Committee for the Management of the Fund shall invite the Committee to hold a meeting at least once every three months, and the convening of the meeting shall be considered valid if attended by a majority number of members, and provided that the Chairman is among them. The Committee shall issue its decisions by an absolute majority of votes by those in attendance, and in case of the votes being equal, the side with the Chairman shall have

the casting vote. The meeting has the right to hold other meetings if deemed necessary.

A letter inviting the members to the meetings of the Committee shall be sent out at least a week before the date of the meeting, and it should enclose an agenda for the meeting. No proxy shall be allowed to attend the meetings of the Committee.

Article (143): The Committee shall determine the amounts to be set aside for the improvement and development of tourism activities stipulated in Article (22) of this Law. The Committee shall also consider the Fund's yearly budget.

Article (144): The Chairman of the Committee shall appoint a Secretary for it from among the staff of the Directorate General to write down the minutes of meetings but without having an accounted vote. He has to undertake the following:

- 1) Preparing the Committee's agenda and arranging for its meetings after the approval of the Committee's Chairman.
- 2) Preparing the Fund's draft budget and final accounts before presentation to the Committee.
- 3) Any other tasks assigned to him by the Committee and its Chairman.

Article (145): The decisions of the Committee and its recommendations shall be presented to the

Minister for ratification within

eight days from the date of issue.

Article (146): The Chairman of the Fund's Management shall notify the National Tourism Committee of the budget by sending to it a copy of the Fund's budget after its ratification.

CHAPTER TWELVE

RULES AND PROCEDURES FOR TOURISM INSPECTION

Article (147): Hotel and tourism establishments shall be obliged to maintain the licences issued to them at their headquarters and should produce them to the inspectors of the Directorate General and competent officials of the Judicial Control.

Article (148): The officials of the Judicial Control, stipulated in Article (24) of the Law, shall be entrusted to observe the implementation of the provisions of the Law and of these Regulations. They shall have the authority to enter different tourist areas and sites, hotel and tourist establishments, premises of tourism companies and offices of travel, aviation and tourism for inspection purposes and for examining their licences, records documents and working systems.

Article (149): The establishments mentioned in the preceding article shall be obliged to enable the officials of the Judicial Control to

perform their inspection and control functions and also to facilitate their entry into sites belonging to them in addition to providing them with all the necessary details.

Article (150): The officials of the Judicial Control should, each one of them in his respective sphere of specialization,

notify the bodies they belong to of any violation of the provisions of the Law and its executive regulations. The competent bodies shall take the necessary legal measures required in this respect.

The officials of the Judicial Control shall not misuse their authority towards the bodies whose premises they inspect or try to take advantage of their positions for personal purposes or gains.

CHAPTER THIRTEEN

PROVISIONAL STIPULATIONS

Article (151): All natural or juridical persons who had obtained a licence from the Directorate General to utilize tourist areas or sites and started construction before the Law has become effective, have to submit their work or project plans to be executed at such sites, together with the time-table for their execution, to the Directorate General for consideration

and amendment according to the General Plan of the Ministry for the utilization and management of such areas. They have to submit such plans within a period of six months from the date of these Regulations becoming effective in order to amend the plans and reconcile their status.

Article (152): The documents referred to in the preceding article shall be recorded in a special register at the Directorate General with the date of submission shown in it. The person submitting these documents shall be given a receipt showing the entry number into the register and its date, and signed by the competent official.

Article (153): A Technical Committee shall be constituted through a decision issued by the Undersecretary for the

purpose of inspecting and showing the status of the tourist areas and sites where construction had begun before the Law taking effect, and defining what construction work or utilization has taken place at such areas. The results of such an inspection shall be confirmed in a report to be presented to the Status Reconciliation Committee, together with a suggestion for the type of works and measures required to reconcile the status.

Article (154): A committee shall be constituted through a decision issued by the Undersecretary in the following order to decide status reconciliation issues:

- | | | |
|----------|---|--------|
| Chairman | 1) Director General of Tourism | |
| Member | 2) A representative from the Ministry of Regional Municipalities, Environment and Water Resources | |
| Member | 3) A representative from the Ministry of Housing, Electricity and Water | |
| | 4) A representative from the Royal Oman Police | Member |
| | 5) Director of Tourism Affairs | Member |
| | 6) Director of Planning and Tourism Development | Member |

Article (155): The committee referred to in the preceding article shall take charge of studying the reports of the Technical Committees stipulated in Article (153) and shall decide what is necessary to reconcile any status within a period of not more than thirty days from the date of its receiving the reports of the Technical Committees. The Directorate General shall inform those concerned about the Committee's decisions.

Article (156): The Status Reconciliation Committee shall observe the following:

- 1) The compatibility of the project with the Tourism Development Plan.
- 2) The suitability of the area of the tourist site.

or location with the scope, importance, purpose and activity of the project.

- 3) The non-violation by the new plan for the site or location of the development planning for the Governorate or Wilayet and the preservation of the environment and water resources.

Article (157): The Technical Committees stipulated in Article (153) shall, soon after the expiry of the period fixed for status reconciliation, inspect the tourist locations and areas whose status reconciliation has been required, and shall prepare reports confirming the results of their inspection. These reports shall contain the following:

- 1) To show the size of the area that has been constructed or utilized after the reconciliation of its status.
- 2) To show the commencement date of construction or utilization.
- 3) To show the size of the area that has not been constructed.
- 4) To show the establishments that have been set up, with a description of each one of them.
- 5) to show the extent of compliance of those engaged in construction or utilization with the rules and decisions of the Status Reconciliation Committee.

Article (158): The Directorate General shall prepare a report on the cases that have violated status

reconciliation requirements and shall submit it to the Undersecretary for his approval to take any of the following measures:

- 1) To grant the owner of the project concerned a grace period not exceeding two months to complete the execution of the required status reconciliation.
- 2) To cancel the licence issued for the project.
- 3) To inform the competent bodies to cancel the signed contracts pertaining to the project.