



REPUBLIC OF ZAMBIA

**THE TOURISM AND HOSPITALITY ACT , 2015
(ACT NO. 13 OF 2015)**

**THE TOURISM AND HOSPITALITY (REGISTRATION OF HOTEL MANAGERS)
REGULATIONS, 2016**

STATUTORY INSTRUMENT NO.94 OF 2016

GUIDELINES FOR THE REGISTRATION OF HOTEL MANAGERS

DEPARTMENT OF TOURISM

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The Hotel Managers Registration Council (HMRC) has been constituted under the Tourism and Hospitality Act No. 13 of 2015 to register professionals wishing to manage accommodation establishments in the country. The HMRC consists of seven (7) part-time members appointed by the Minister responsible for Tourism. The Council will carry out the functions specified under Section 56 of the Tourism and Hospitality Act, 2015 (“the Act”) relating to the hearing of applications for registration of hotel managers.

The Council shall meet for the transaction of its business at least once in every three months at such places and times as the Chairperson may determine. The Minister shall appoint a Secretary to the Council from among qualified persons employed in the Ministry to perform secretarial and administrative functions in connection with the affairs of the Council.

The Hotel Manager’s Registration Council will ensure that all managers operating or intending to operate any accommodation establishment as categorized by the Act and subsidiary regulations have been registered and issued with a renewable practicing certificate. An exemption from employing a qualified hotel manager is provided if the establishment meets the prescribed conditions as provided in the statutory instrument. The definitions as provided in the Act are as follows:

- *A Hotel Manager (hotel-keeper) means a person responsible for keeping an accommodation establishment.*
- *An accommodation establishment means a place in or on which the business of providing accommodation, with or without any other tourism-related services, are conducted for gain, such as a hotel, guesthouse, bed and breakfast, bush camp, camping site and caravan park, backpacker, boarding house, hostel and self-catering facility and any building or premises used for accommodation by the public and in which lodging is provided and provisions are supplied by a hotel keeper or proprietor, but does not include a Government rest house or a company guesthouse catering specifically for its employees or a school, college or university hostel as the Minister may prescribe by statutory instrument.*

1.0 PROCEDURE

A person shall apply for registration as a hotel manager to the Secretary of the Council in the prescribed manner and form.

The process for undertaking registration as a hotel manager is two-fold:

1. Hotel Manager Registration

A person who intends to manage an accommodation establishment or to be employed as a manager, and meets the qualifications and experience specified in Section 58 of the Act and the statutory instrument, shall apply to the Council for a **once-off** registration.

An applicant for a hotel manager’s registration shall fill an “Application for Registration” form in three copies obtainable from the Secretary to the Council at the contacts provided in this document.

Two copies shall then be sent to the Hotel Manager's Registration Council for processing. These copies shall be accompanied by:

- (a) Curriculum vitae;
- (b) Certified copies of all academic certificates;
- (c) Certified copies of professional certificates
- (d) Proof of employment (Letter from employer)
- (e) Copy of medical certificate (Food Handlers)
- (f) Copy of professional membership (if a member)

A Hotel Manager's Registration shall have unlimited validity, unless otherwise cancelled or revoked by the Council.

2. Practising Certificate

A registered hotel manager shall apply to the Council, for a practising certificate or a renewal of a practising certificate.

An applicant for a hotel manager's practising certificate shall fill an "Application for Practising Certificate" form in three copies obtainable from the Secretary to the Council at the contacts provided on the last page of the document.

Two copies shall then be sent to the Hotel Manager's Registration Council for processing. These copies shall be accompanied by:

- (a) Copy of registration certificate;
- (b) Certified copies of all academic/ professional certificates;
- (c) Copy of medical certificate; and
- (d) Copy of professional membership (if a member)

Furthermore, the Tourism and Hospitality Act No. 13 of 2015 in subsection (3) of Section 61 has made provision for the exemption of certain types of accommodation establishments from the requirement to employ a registered hotel manager as follows:

3. Exemption from Employing a Registered Hotel Manager

An exemption from employing a qualified hotel manager is provided if the establishment:

- (a) is owner managed;
- (b) has ten rooms and below; and
- (c) employs less than five people.

The Council may grant or reject to exempt an accommodation establishment from the requirement to employ a registered hotel manager based on the criterion prescribed above.

2.0 QUALIFICATIONS AND EXPERIENCE

The following are the qualifications and experience required for a hotel manager's registration:

4. The Council shall register a person as a hotel manager if the person-
 - i. is resident in Zambia;
 - ii. has attained the age of twenty-one years;
 - iii. is of good character;
 - iv. holds a qualification in relation to the grade of the accommodation establishment the person wishes to manage;
 - v. has acquired at least two years of post-graduate practical experience from full time employment under the supervision of a registered hotel manager; and
 - vi. shows proof of employment from a licenced accommodation establishment.

Subsequent to the registration, the following qualifications and experience are necessary for issuance of a practicing certificate:

5. *In the case of a person intending to manage a three to five star hotel-*
 - i. A degree or higher diploma in hospitality or hotel management from a higher education institution;
 - ii. A diploma in hospitality or hotel management from an institution or a higher education institution and five years proven experience in managing a hotel; or
 - iii. Ten years' experience in managing any service-related business operation; and
6. *In the case of a person intending to manage an ungraded to two star hotel-*
 - i. A diploma in hospitality or hotel management from an institution or a higher education institution and two years' experience in the hospitality industry;
 - ii. A certificate in any hotel-related course from an institution and three years' experience in the hospitality industry; or
 - iii. Over five years' experience in a service-related business.

3.0 SUBMISSION OF APPLICATION

7. Every person who is managing or intending to manage an accommodation establishment, shall, apply to the Council to register for a hotel manager's certificate, annual practicing certificate or exemption certificate.
8. An application for registration as a hotel manager, practising certificate and exemption from employing a qualified hotel manager shall be submitted to the Secretary of the Council using the prescribed forms, and with the required attachments, and upon payment of the prescribed fees.
9. Unless advised otherwise by the Secretary of the Council, one original and one copy of the application and accompanying material should be provided.
10. If the application and / or accompanying materials are incomplete, processing will be put on hold until the application is complete.

4.0 ISSUANCE OF CERTIFICATE

11. The Council shall within thirty (30) days of the receipt of an application, approve it, if the applicant meets the requirements of the Act.
12. The Council shall, where it approves an application, issue the applicant with a certificate of registration, practising certificate or certificate of exemption.
13. The practicing certificate shall take effect on the date it is issued and shall continue in force until the 31st December next following the date of issue.
14. The practicing certificate shall be valid for a calendar year (January to December) and renewable annually.
15. The renewal shall be at least ninety (90) days before the expiry of the current certificate.
16. Practising certificates shall be renewed annually upon meeting all requirements as prescribed, including adhering to a code of ethics (appendix I) and payment of a fee as prescribed by the Regulations under the Act.
17. The Secretary shall keep a register of all persons registered and issued with practising certificates.

5.0 NOTICE OF CHANGE OF PARTICULARS

18. A registered hotel manager is required to notify the Council of any change in their registered particulars within fourteen (14) days of the change, using the prescribed form.

6.0 PROHIBITION OF TRANSFER OF CERTIFICATE

19. A certificate of registration shall not be transferred to a third party.

7.0 SURRENDER OF CERTIFICATES

20. A hotel manager who decides to discontinue practising or carrying out business as a hotel manager shall notify the Council at least thirty (30) days before the discontinuation of practice.

A person who ceases to practice or carry on business as a hotel manager shall surrender the certificate of registration and practising certificate to the Council for cancellation at least fifteen (15) days before the cessation of business.

8.0 SUSPENSION AND CANCELLATION OF CERTIFICATES

21. The Council shall cancel or suspend the certificate of registration or practising certificate of a hotel manager if the hotel manager-
 - i. Contravenes the conditions of the certificate of registration;
 - ii. Contravenes the Act;

- iii. Obtained the certificate by fraud, misrepresentation or concealment of a material fact;
- iv. Is found guilty of professional misconduct; or
- v. Is disqualified from practising or carrying on business as a hotel manager.

22. The Council shall, before suspending or cancelling a certificate of registration or practising certificate, inform the holder of the certificate of the intention to suspend or cancel the certificate in the prescribed format.

23. The Council shall notify the holder of the certificate of the suspension and cancellation in a prescribed format.

9.0 DUPLICATE CERTIFICATE OF REGISTRATION

24. A person whose certificate of registration is destroyed or lost may apply to the Council for duplicate certificate in a prescribed format.

25. The Council shall, within thirty days of receipt of an application issue a duplicate certificate of registration to the applicant.

10.0 REGISTER

26. The Council shall maintain a Register of Hotel Managers which shall specify-

- i. the names and addresses of registered hotel managers;
- ii. the applications rejected and reasons for the rejection;
- iii. the notices issued under these regulations; and
- iv. any other information relevant for the purposes of the Act.

27. The Council may cause alterations to be made to the Register in accordance with the purposes of the Act.

28. The Register shall be open for inspection by members of the public during normal business hours upon payment of the prescribed fee.

11.0 ANNUAL SUBSCRIPTION

29. An accommodation establishment shall, in respect of its hotel manager, ensure that the prescribed annual fee for a practicing certificate for the following year is paid on or before the 31st December of each year.

12.0 DISPLAY OF CERTIFICATES

30. A registered hotel manager shall display the certificate of registration and practising certificate in a conspicuous place at the hotel manager's business premises.

13.0 APPEAL

31. A person who is aggrieved with the decision of the Council may appeal to the Minister within *thirty (30)* days of receipt of the decision in the prescribed format.

32. The Minister shall, within thirty (30) days of receiving an appeal, confirm, set aside or vary the decision of the Council and inform the appellant the decision.
33. A person aggrieved with the decision of the Minister may appeal to the High Court within thirty (30) days of receipt of the decision.

14.0 OFFENCE AND PENALTY

34. A person who contravenes the Regulations commits an offence and is liable, upon conviction, to a fine not exceeding one hundred thousand penalty units, or a term of imprisonment not exceeding one year, or to both.

15.0 FEES

PRESCRIBED FEES			
DESCRIPTION OF FEES		FEE UNITS	KWACHA EQUIVALENT
Registration Fee	All categories	7,500	2,250
Practicing Certificate / Renewal Fee	Three-Five Star	5,000	1,500
	Ungraded- Two Star	3,500	1,050
Exemption Fee	All categories	3,500	1,050
Change of Particulars	All categories	2,000	600
Duplicate Certificate of Registration	All categories	2,000	600
Duplicate Practicing Certificate	All categories	2,000	600
Inspection of Register	All categories	350	105

CONTACT DETAILS

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