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GRENADA

ACT NO. 42 OF 2013**I assent,***30th December, 2013.*

CECILE E. F. LA GRENADE

Governor-General.

AN ACT to establish a Tourism Authority charged with the responsibility of developing the Tourism Industry of Grenada for the purpose of attracting Tourists and for matters connected therewith and incidental thereto.

[By Order].

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives, and by the authority of the same as follows—

PART I**PRELIMINARY**

1.—(1) This Act may be cited as the

Short title.

GRENADA TOURISM AUTHORITY ACT, 2013.

(2) This Act shall come into force on a day to be fixed by the Minister by Order published in the *Gazette*.

Interpretation.

2. In this Act unless the context otherwise requires—

“Apartment” means any furnished premises in which—

- (a) sleeping accommodation and self-catering facilities are provided in three or more self-contained units; and
- (b) a charge is made for the accommodation provided;

“Authority” means the Grenada Tourism Authority established pursuant to section 3;

“Board” means the Board of Directors of the Authority established pursuant to section 5;

“Chief Executive Officer” means the Chief Executive Officer appointed pursuant to section 14;

“Guest House” means any premises in which—

- (a) sleeping accommodation is provided in three or more bedrooms; and
- (b) a charge is made for the accommodation provided;

“hotel” means any building or group of buildings whether contiguous to each other or not and the grounds appurtenant thereto that operate as one business venture in which—

- (a) sleeping accommodation is provided in ten or more bedrooms;
- (b) meals are served to residents and non-residents; and
- (c) a charge is made for the accommodation provided;

“indigenous industries” includes nutmeg, cocoa and other goods and services produced and provided in Grenada and any other sector within Grenada;

“Minister” means the Minister responsible for Tourism;

“restaurant” means any premises on which the business of supplying food or drink for reward is carried on;

“Secretary” means secretary to the Board appointed pursuant to section 15 of this Act;

“tourism enterprise” includes—

- (a) car rental services;
- (b) water sports services;
- (c) tourist sites;
- (d) restaurants; and
- (e) any other service utilized by or offered to tourists and declared by the Minister, by order, to be a tourism enterprise;

“tourist” means a person, not being the holder of a Grenadian passport, who is in Grenada—

- (a) on a visit;
- (b) in transit, from a place outside Grenada to some other place outside Grenada;

“tourist accommodation” means an apartment, a hotel, a guest house, villa or any other premises or place where accommodation is provided for tourist for reward and is registered with the Authority for that purpose;

“tourist site” includes places of historical interest in Grenada;

“Villa” means a house that—

- (a) has at least three bedrooms;
- (b) is managed by a company or real estate agent, and employs no less than three persons;
- (c) is registered with the Authority; and
- (d) is available for the accommodation of guests for reward for at least nine months in every year;

“water sports” includes scuba diving, water skiing, jet skiing, parasailing, sunfish sailing, boat excursions, snorkeling and such other sports activities as the Minister may by order declare to be water sports for the purposes of this Act.

PART II**ESTABLISHMENT OF GRENADA TOURISM
AUTHORITY**

3.—(1) There is hereby established an Authority which shall be known as the Grenada Tourism Authority. Establishment of Authority.

(2) The Authority shall be a body corporate to which section 49 of the Interpretation and General Provisions Act shall apply.

4. The powers and duties of the Authority are as follows— Powers and duties of the Authority.

- (a) to develop all aspects of the tourist industry of Grenada and to promote its efficiency;
- (b) to make all such enquiries and to collect such information as may be deemed necessary for the purpose of carrying out their duties under this Act;
- (c) to adopt all such measures as, in the opinion of the Authority, may be necessary for promoting and thoroughly advertising Grenada as a tourist resort, and for the purpose of materially facilitating and increasing the tourist traffic to Grenada;
- (d) for all or any such purposes to appoint any person or agent as the Authority may deem necessary and to arrange for the remuneration of the same either by salary, commis-

sion or otherwise as the Authority may think proper;

- (e) to accept from any hotel, development or transportation company any contribution for all or any of the purposes of this Act, and to administer the same either solely or by joint arrangement with any such hotel, development or transportation company;
- (f) to enter into and make such contract or contracts as the Authority may deem necessary for all or any of the purposes of this Act;
- (g) to promote and secure such increased shipping and airline facilities as will tend to increase tourist traffic in Grenada;
- (h) to secure the most favourable arrangements for the entry of tourists in Grenada;
- (i) to encourage and be responsible for the development of products inclusive of amenities and facilities necessary for the proper enjoyment of Grenada as a tourist destination;
- (j) to encourage linkages between the tourism sector and the indigenous industries in Grenada;
- (k) to register, license and classify tourist accommodation or tourism enterprise according to the standard of amenities provided;

- (l) to acquire by lease, purchase, gift, or other lawful means and to hold in its name for its use and control both real and personal property as tourist sites for the development of the tourist sector;
- (m) to register and classify restaurants catering primarily to tourists, according to the standard of cuisine and amenities provided;
- (n) to register and regulate such forms of service for tourists as the Authority determines;
- (o) to provide advice and recommendations to the Minister concerning Tourism in Grenada;
- (p) to actively pursue tourism investment for the sector inclusive of foreign direct investment;
- (q) to undertake such research, experiments and operations as may appear to them to be necessary to improve the basis of the industry and to control and eliminate any undesirable factors that may affect it;
- (r) to encourage by such measures as may be required by or under this Act the attainment and maintenance of integrity and the highest standards of service by persons who offer goods or services to tourist; and
- (s) generally to take all such measures as the Authority may deem likely to carry out most effectively the objects of this Act.

PART III**CONSTITUTION, PROCEDURE AND FUNCTIONS OF
THE BOARD OF DIRECTORS**

Establishment
of Board of
Directors.

5. There is hereby established a Board of Directors of the Authority which shall be responsible for the execution of the policy of the Authority and for the general administration of the Authority.

Constitution of
Board.

6.—(1) The Board shall consist of no less than seven and no more than eleven members, and shall include the following as members—

- (a) the Permanent Secretary of the Ministry of Tourism;
- (b) the President of the Chamber of Commerce or his or her nominee; and
- (c) such other members as the Minister may appoint by instrument in writing.

(2) Members of the Board may be appointed from amongst persons who have special qualifications in, and have experience of matters relating to accounting, marketing and advertising, finance, law, tourism or hospitality management and human resource management.

(3) The Minister may, in accordance with sub-section (1) appoint any person to act temporarily in the place of any director who is absent from Grenada or is unable to act.

Tenure.

7.—(1) A director shall hold office for a period not exceeding three years and shall be eligible for re-appointment,

unless he or she resigns or his or her appointment is revoked before the end of that period.

(2) Subject to sub-section (1) every director is, on the expiration of the period of his or her appointment, eligible for re-appointment for a further period except that the appointment of directors should be staggered in such a manner that only half of the Board be eligible for reappointment at any given time.

8. A member of the Board shall be entitled to be paid such remuneration and allowances as may be prescribed by the Minister. Remuneration.

9.—(1) A person shall be disqualified from being a member of the Board and shall not become or continue to be appointed as a member of the Board if the person— Disqualification from membership of the Board.

- (a) has been declared bankrupt pursuant to the provisions of the Bankruptcy Act;
- (b) has been declared by the Court to be physically and mentally incapacitated by reason of unsoundness of the mind;
- (c) has been convicted of a criminal offence except where the offence is a minor traffic offence;
- (d) has been convicted of an offence pursuant to the provisions of this Act;
- (e) has been absent from three consecutive meetings of the Board without reasonable excuse;

- (f) has become incapable, willful or otherwise of carrying out his functions pursuant to the provisions of the Act; or
- (g) is currently employed by the Authority.

(2) Notwithstanding subsection 1(e), a person may be eligible for appointment to the Board after the expiry of three years from the date when he or she ceases to be a director.

(3) The appointment of a member shall not be terminated unless that member has been given a reasonable opportunity to make representation.

10.—(1) A member of the Board is taken to have vacated his or her office if the member—

Vacation of
office.

- (a) resigns from his or her position on the Board pursuant to section 11 or 12;
- (b) cannot continue as a member pursuant to section 9; or
- (c) dies.

(2) Where a vacancy is created by the death, resignation or removal from office of a director, a person may be appointed in accordance with section 6 to fill that vacancy.

Resignation of
Chairperson
and Deputy
Chairperson.

11. The Chairperson or Deputy Chairperson appointed in accordance with section 18 may at any time resign his or her office by instrument in writing addressed to the Minister and upon the receipt by the Minister of the instrument, from the date specified in the instrument of resignation, that person

ceases to be Chairperson or Deputy Chairperson and, if the instrument so specifies, he or she also cannot be a director.

12. A director, other than the Chairperson or Deputy Chairperson may at any time resign his office by instrument in writing addressed to the Minister and transmit the instrument through the Chairperson and, from the date of the receipt by the Minister of the instrument, the director ceases to be a director.

Resignation of
Director.

13. The Minister shall by notice published in the *Gazette*, inform the public of the names of members of the Board as first constituted and every change in membership of the Board.

Publication in
the *Gazette*.

14.—(1) The Board shall appoint a Chief Executive Officer of the Board on such terms and conditions as it thinks fit upon prior approval of the Minister.

Appointment of
Chief Executive
Officer.

(2) The Chief Executive Officer of the Authority shall be subject to the directions of the Board and is responsible to the Board for the execution of its policy and the management of its affairs and any other duties which may be required from time to time subject to the terms and conditions as provided under sub-section (1).

15. The Board may appoint and employ on such terms and conditions as it thinks fit, a Secretary, such officers, agents and employees as may be required for the proper and efficient discharge by the Authority of its functions under this Act, at such remuneration and on such terms as the Board may determine.

Appointment
of staff of the
Authority.

Liability of
members of the
Board.

16. No member of the Board shall be personally liable for any act or default of the Authority done or omitted to be done or any default of the Board made, in good faith in the course of the operation of the Board.

PART IV

MEETINGS OF BOARD

Meetings of the
Board.

17. The Board shall meet at least once a month, and at such other times and place as may be necessary or expedient for the transaction of business of the Board.

Chairperson
and Deputy
Chairperson.

18.—(1) The Minister shall appoint a Chairperson and a Deputy Chairperson to the Board from amongst the membership of the Board.

(2) The Deputy Chairperson shall act as Chairperson of the Board—

- (a) during a vacancy in the office of the Chairperson;
- (b) during all periods when the Chairperson is absent from duty or, for any other reason is unable to perform the functions of his or her office.

Special
Meetings.

19. The Chairperson or, in the event of his or her absence from Grenada or inability to act as such, the Deputy Chairperson may at any time call a meeting of the Board and shall call a meeting within 7 days—

- (a) of the receipt by him or her of a request for the purpose addressed to him or her in writing and signed by 3 other directors;

- (b) of receiving a direction to that effect addressed to him or her in writing and signed by the Minister.

20. The Chairperson, or in his or her absence the Deputy Chairperson, shall preside at all meetings of the Board and, in the case of the absence of both, the directors present and constituting a quorum shall elect a temporary Chairperson from among their number who shall preside at the meeting.

Presiding at meetings.

21. A simple majority of the directors shall constitute a quorum.

Quorum.

22. All decisions of the Board shall be decided by a majority of members presiding and voting at the meeting, and in the event of an equality of votes, the Chairperson shall have a casting vote.

Voting.

23.—(1) The Chairperson may invite any person to attend a meeting of the Board where the Board considers it necessary to do so.

Additional person to attend meetings.

(2) A person referred to in sub-section (1) may take part in the deliberations of the Board but shall not vote on any matter.

24.—(1) Minutes in proper form of each meeting shall be kept by the Secretary or such officer as the Authority appoints for the purpose and shall be confirmed in writing at the next meeting by the Chairperson or Deputy Chairperson.

Minutes.

(2) Confirmed minutes of meetings shall be submitted to the Minister within one month of the date of the meeting at which they were confirmed.

Validity of
decisions of the
Board.

25. An act done or proceeding taken by the Board under this Act or the regulations may not be questioned on the ground of—

- (a) the existence of any vacancy in the membership of or of any defect in the constitution of the Board; or
- (b) any omission, defect or irregularity that does not effect the merits of the case.

Appointment of
Committees.

26.—(1) The Board shall appoint committees to assist with the proper discharge of its functions subject to such conditions or restrictions as the Board imposes.

(2) The number of members of a Committee appointed by the Board and the terms of office of the members shall be fixed by the Board.

(3) A Committee appointed by the Board under this section may include persons who are not directors, but such persons shall not comprise more than one-third of the membership of the committee.

Disclosure
of Director's
interest.

27.—(1) This section applies to a member of the Board or a member of a Committee of the Board if—

- (a) the member has direct or indirect interest in a matter being considered, or about to be considered, by the Board or a committee; and
- (b) the interest could conflict with the proper performance of the duties of the member with respect to the consideration of the issue.

(2) As soon as practicable after the relevant facts come to the knowledge of a member, the member shall disclose the nature of the interest to a Board or a Committee meeting.

(3) Unless the Board or the Committee otherwise directs, the member shall not—

- (a) be present at the meeting when the Board or Committee considers the matter; or
- (b) take part in a decision of the Board or Committee with respect to the matter.

PART V

LICENSING

28.—(1) Every application for a licence under this Act in respect of a tourist accommodation or tourism enterprise shall be made to the Board in such form and manner as may be prescribed or approved by the Authority.

Licensing
of tourist
accommodation
or tourism
enterprise.

(2) No person shall operate any tourist accommodation or tourism enterprise unless that person first applies for and obtains a licence issued in accordance with the regulations.

(3) In obtaining a licence for a tourist accommodation or tourism enterprise a person shall be subject to an inspection as may be prescribed in the regulations by the Minister.

(4) A licence issued to an applicant under subsection (1) is subject to such conditions as may be prescribed by the Minister.

(5) A licence shall be valid from the date of issue to the 31st day of August of the year during which the licence was issued, and is renewable annually not later than the 1st day of September of each year.

Licensing
of tourist
accommodations
or tourism
enterprise
operating
before the
commencement
of Act.

29.—(1) Subject to subsection (2) a person who has been operating a tourist accommodation or tourism enterprise prior to the commencement of this Act and wishes to continue to operate the tourist accommodation or tourism enterprise after the commencement of this Act shall be required to have a valid licence and shall apply for licence in accordance with the provisions of this Part.

(2) A person operating a tourist accommodation or tourism enterprise before the commencement of this Act, shall after the commencement of this Act, be deemed to be a holder of a valid licence granted under this Act, until the 31st day of December in the following year and thereafter the licence shall be renewed annually.

Emblems.

30.—(1) The Authority may provide, for the purposes of this section, such emblems as it thinks fit in accordance with regulations prescribed by the Minister.

(2) Where a person offers or provides by way of trade or business any goods, entertainment, transportation, accommodation, food or drinks to or for tourists and maintains integrity and a high standard of service in the conduct of such trade or business, the Authority may—

- (a) supply to that person any of the emblems of the Authority; and
- (b) permit him or her to display such emblem, subject to such restrictions and on such conditions as the Board may impose.

31.—(1) The Authority may refuse to grant or renew a licence for a tourist accommodation or tourism enterprise. Refusal to grant or renew licence.

(2) Where the Authority decides not to grant or renew a licence in respect of a tourist accommodation or tourism enterprise, the Authority shall in writing notify the person who made the application of its decision and of the right of appeal conferred by section 33.

32.—(1) The Authority may suspend a licence where the person to whom the licence is issued— Suspension and Revocation of licence.

- (a) fails to keep the premises in a sanitary, safe and otherwise satisfactory condition;
- (b) engages in, permits or fails to take reasonable steps to prevent conduct that is likely to endanger the health, safety or well being of occupants; or
- (c) has been notified that the cancellation of his or her licence is being considered for alleged contraventions of this Act or the regulations.

(2) The Authority may revoke a licence where—

- (a) the person to whom the licence has been issued has ceased to operate the premises to which it relates as tourist accommodation or tourism enterprise;
- (b) a person whose licence has been suspended and who has been required to comply with any direction, fails within the period speci-

fied in the notice of suspension, to comply with that direction;

- (c) any circumstance exists which would have prevented the grant of a licence; or
- (d) the person to whom the licence has been issued has been convicted of a prescribed offence.

(3) Where the Authority proposes to suspend a licence, it shall give to the person to whom the licence is issued notice in writing of the proposed suspension.

(4) A notice referred to in subsection (3) shall—

- (a) specify the reason for the suspension; and
- (b) contain a statement that the person in respect of whom the notice has been given may, not later than 30 days from the date from which the notice is given, submit to the Authority in writing reasons why the licence should not be surrendered.

(5) The Authority shall after the expiry of the 30-day period mentioned in subsection (4) make a decision, taking into account the reasons submitted to it by the person to whom the licence is issued, as to whether or not the licence should be suspended.

(6) Where a licence has been suspended in accordance with subsection (1)(a) or (b), the Authority shall in writing—

- (a) notify the person whose licence is suspended of the suspension and the period of suspension;

- (b) require that person to comply, within the period of suspension, with any direction given by the Authority; and
- (c) notify the person whose licence is suspended that he or she may apply to the Minister for a review of the decision.

(7) When the Authority decides to revoke a licence it shall give the person to whom the licence is issued notice of the revocation.

(8) A notice of revocation shall—

- (a) specify the reason for the revocation;
- (b) specify the date when the revocation takes effect; and
- (c) contain a statement that the person to whom the notice has been given may apply to the Minister for a review of the decision not later than 30 days from the date on which the notice has been given.

33.—(1) A person who applies to the Minister for a review of the decision of the Authority to refuse a licence to that person, or to suspend or revoke that person's licence, and who is aggrieved by the decision of the Minister in respect of the refusal, suspension, revocation or non-renewal may appeal against the Minister's decision to a Tribunal, appointed for the purpose of an appeal under this Act. Appeals.

(2) For the purpose of an appeal, the Tribunal shall consist of three trained mediators within the court system, currently on the Court's roster of mediators.

(3) A person aggrieved by the Tribunal's decision on any matter may appeal to a Judge in Chambers in such form and manner as may be provided by the rules of court and the Judge in Chambers may make such order in relation to the appeal as he or she thinks fit.

(4) The decision of a Judge in Chambers on an appeal pursuant to subsection (3) shall be final.

Register.

34.—(1) The Authority shall keep a register of all tourist accommodation and tourism enterprise in respect of which licences have been granted under this Act.

(2) A copy of the register of all tourist accommodation provided for in subsection (1), shall be published annually by the Authority in the *Gazette*.

Prohibition.

35. For the purposes of this Act—

- (a) no apartment, hotel, guest house, villa or any other premises or place where accommodation is provided to tourist for reward, shall operate as a tourist accommodation; or
- (b) no car rental services, water sports services or any other service utilized by or offered to tourists and declared by the Minister, by order, to be a tourism enterprise shall operate as a tourism enterprise,

unless it is licensed in accordance with the requirements of regulations made pursuant to this Act.

PART VI**MISCELLANEOUS PROVISIONS****36. Upon commencement of this Act—**

Contracts, rights
and transfer of
assets.

- (a) no contract entered into, by or on behalf of the Grenada Tourist Board established by section 3 of the repealed Act, shall be deemed to have been entered into, by or on behalf of the Grenada Tourism Authority,
- (b) no right, privilege, duty or obligation conferred or imposed on the Grenada Tourist Board, and existing prior to the commencement of this Act, shall be deemed to be conferred or imposed on the Grenada Tourism Authority; and
- (c) no assets and liabilities of the Grenada Tourist Board shall be deemed to be transferred and vested in the Grenada Tourism Authority.

37. The Minister may give the Authority directions of a general nature in respect of the policy to be followed by the Authority in the performance of its functions under this Act and the Authority shall comply with those directions.

Directions of
Minister.

38. The Authority may charge such fees as are prescribed by order made by the Minister responsible for Finance—

Fees.

- (a) for the issue or renewal of licences; and
- (b) for any service performed by it.

Fund and
resources of the
Authority.

39. The funds and resources of the Authority shall comprise—

- (a) such amounts as may be voted for the purpose by Parliament;
- (b) subject to the approval of the Minister responsible for Finance, any special tax impost levied for the tourism sector;
- (c) all amounts payable to the Authority in respect of advertisement or any other service performed by the Authority;
- (d) all amounts collected under the authority of regulations made under this Act;
- (e) amounts borrowed by the Authority for the purpose of meeting or discharging any of its obligations, and
- (f) all other amounts or property which may in any manner become payable to or vested in the Authority in respect of any matter incidental to its powers and functions.

(2) All monies of the Authority, including monies raised on loan or grants received for the purposes of this Act shall be paid into an account in the name of the Authority in accordance with the directions of the Board.

Application of
the funds of the
Authority.

40. The funds of the Authority shall be applied towards—

- (a) the payment of salaries, wages, fees, allowances, pensions, gratuities or similar benefits of persons employed by the Authority; and

- (b) the meeting of obligations and the performance of any of the functions of the Authority and matters incidental thereto.

41.—(1) The Authority may with the approval in writing of the Minister, borrow money from the Government of Grenada or any person by way of loan, overdraft or otherwise upon such terms with respect to the borrowing, issue, transfer and interest as the Minister approves for—

Borrowing powers and additional working capital.

- (a) the provision of working capital; or
- (b) the performance of the functions of the Authority under this Act.

(2) The Authority may with the approval of the Minister, raise additional working capital.

(3) The Authority may, with the prior written consent of the Minister of Finance pledge or mortgage any of its assets as security for a loan, whether or not the loan is guaranteed under this section.

42.—(1) The Government of Grenada may, in accordance with section 52 of the Public Finance Management Act Cap 262B, guarantee in such manner and on such conditions as Parliament thinks fit for the satisfaction of—

Guarantee.

- (a) any loan to the Authority; and
- (b) interest charges or any other charges in respect of a loan to the Authority.

(2) Subsection (1) does not apply to a loan from the Government of Grenada.

Disposal of
capital assets.

43. The Authority shall not, without the prior approval in writing of the Minister responsible for Finance—

- (a) dispose of its capital assets; or
- (b) apply the proceeds of a disposal to which paragraph (a) refers, to any undertaking.

Accounts and
audits.

44.—(1) The Authority shall keep proper records of its accounts in accordance with generally accepted accounting standards and principles, and such accounts shall be audited annually by an auditor appointed by the Authority with the approval of the Minister.

(2) The Director of Audit may at any time and shall on the direction of the Minister responsible for Finance, carry out an investigation or audit of the accounts of the Authority in accordance with generally accepted accounting standards and principles.

Access by
Director of
Audit or auditor.

45. A director, officer or employee of the Authority shall afford the Director of Audit or other auditor, access to all books, documents, cash and securities of the Authority and, on request, give to the Director of Audit or auditor any information within the knowledge of that director or employee that relates to the operation of the Authority.

Annual report.

46.—(1) The Authority shall as soon as possible after the end of each year and in any event, not later than three months from the end of any year, submit to the Minister a report containing—

- (a) an account of the performance of the activities and operations of the Authority and an

analysis of the performance of the tourism industry after the preceding year;

- (b) an assessment of any marketing, advertising and product development programmes undertaken;
- (c) a report on initiatives to link the tourism sector to the indigenous industries; and
- (d) statement of the audited accounts of the Authority.

(2) The Minister shall not later than one month after receipt, lay before Parliament a copy of the report referred to in subsection (1).

(3) A copy of the audited statement of accounts shall be published in the *Gazette*.

47.—(1) The financial year of the Authority shall be the period of twelve months, ending on 31st December in each year. Estimates.

(2) The Authority shall not later than the 31st day of October of each year, in such form as the Minister directs, submit to the Minister the approval estimates of the income receivable by the Authority, its capital expenditure and the total of its recurrent expenditure for the following financial year.

48.—(1) The Authority shall prepare and submit to the Minister an annual tourism marketing plan for tourism promotion abroad and product development in Grenada, no later than the 30th day of September of each year. Tourism marketing plan.

(2) The plan referred to in subsection (1) shall—

- (a) serve as a guide for structuring the programme of product development, tourism promotion and visitor service activities for the succeeding year; and
- (b) specify the aims of the programme and outline the methods to be employed to accomplish those aims.

Exemption from
Tax.

49. Notwithstanding the provisions of any other written law, the Authority is exempted from payment of import duty, stamp duty, income tax, real property tax, property transfer tax, any levy and any other duty or tax whatsoever.

Seal of the
Authority.

50.—(1) The Board shall have and use as occasion may require, a seal, having a device or impression with the inscription “Grenada Tourism Authority”.

(2) The seal of the Authority shall be kept in the custody of the Chairperson or Deputy Chairperson, or such officer of the Authority as the Authority approves, and may be affixed to documents or instruments pursuant to a resolution of the Authority in the presence of the Chairperson and the Secretary.

(3) The seal of the Authority shall be authenticated by the signature of the Chairperson or the Secretary.

(4) All documents or instruments, other than those required by law to be under seal, and all decisions of the Authority may be signified under the hand of the Chairperson or Deputy Chairperson.

51. The Authority may with the approval of the Minister Regulations.
make regulations—

- (a) in respect of the regulation, licensing and classification of tourist accommodation, tourism enterprises and tourist sites;
- (b) in respect of the registration of restaurants catering primarily for tourists and the classification of such restaurants according to the standards of cuisine and amenities provided;
- (c) in respect of regulating the inspection and securing the cleanliness and safety of tourist accommodation in accordance with the provisions of the Public Health Act;
- (d) in respect of the keeping of records by persons operating tourist accommodation, of the number of tourists capable of being accommodated;
- (e) in respect of the imposition of fees or charges for services rendered by the Authority;
- (f) in respect of the fees to be paid in respect of any licence granted under this Act;
- (g) in respect of the form and manner in which applications for licences under the Act shall be made;
- (h) in respect of the regulation and classification of product facilities and amenities for the enjoyment of Grenada as a tourism destination;
and

- (i) generally for giving effect to the provisions of this Act.

Offences.

52.—(1) A person who operates any tourist accommodation or tourism enterprise in contravention of section 28 commits an offence and is liable on summary conviction to a fine not exceeding fifty thousand dollars or to a term of imprisonment not exceeding three years and, where the offence is continued after conviction, that person is guilty of a continuing offence and is liable to a fine of two thousand five hundred dollars for each day during which the offence is continued.

(2) A person who prevents or obstructs the entry into tourist accommodation, tourism enterprise or any place within the cartilage thereof of any person in the execution of his duty under this Act is guilty of an offence and is liable on summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding two years or to both.

(3) A person who fails to comply with section 45 is guilty of an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding six months, or to both.

(4) A person who—

- (a) with intent to deceive make or has in his possession any emblem or device so closely resembling an emblem of the Authority as to be calculated to deceive;
- (b) displays an emblem of the Board without the permission of the Board; or

- (c) in displaying or keeping in his or her possession any emblem of the Authority and fails to comply with any restriction subject to which or to satisfy any condition on which he was supplied with or permitted to display such emblem,

commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding six months, or to both.

53. The Tourist Board Act Cap 321 is hereby repealed. Repeal.

Passed in the House of Representatives this 15th day of November, 2013.

RAPHAEL DONALD
Acting Clerk to the House of Representatives.

Passed in the Senate this 29th day of November, 2013.

RAPHAEL DONALD
Acting Clerk to the Senate.

GRENADA

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PRINTING OFFICE, ST. GEORGE'S

31/12/2013.