**NATIONAL ASSEMBLY:**

**QUESTION FOR WRITTEN REPLY:**

**Question Number: 687**

**Date of Publication: 4 March 2022**

**NA IQP Number: 6**

**Date of reply: 20 April 2022**

**Mr M S F de Freitas (DA) to ask the Minister of Tourism:**

(1) With reference to the (a) national tour guides registrar and (b) tour guides registrar of the nine provinces, (i) what number of complaints have been received in each case in each month (aa) in the past three financial years and (bb) since 1 January 2022, (ii) what has been the nature of the complaints in each case and (iii) how has each complaint been dealt with in each case;

(2) what number of (a) investigations have been undertaken in each case in each specified month and (b) charges have been laid in each case in each specified month;

(3) what (a) were the charges in each case in each month and (b) number arrests and convictions took place as a result of charges laid in each month?

NW825E

**REPLY:**

1 (a) (i-iii)According to the Tourism Act, no. 3 of 2014 (Act), the National Registrar of Tourist Guides does not deal with complaints but instead acts as an appeals authority for any person who is aggrieved by a decision of a Provincial Registrar and who wishes to appeal against that decision. The National Registrar is therefore unable to provide information about complaints received and handled during the period in question. As was evident during the audit process, there are several gaps in the existing legislation which will require the Department to undertake a policy and law reform process to among others, assess the role of the National Registrar and ensure that the Department plays an oversight role when it comes to the functions performed at a provincial level. Various policy options would need to be researched and considered. It is possible, however, that the oversight function would be one way of addressing the current inconsistencies and disparities that exist at a provincial level and realise the streamlining of processes.

 (b)(i-iii)Section 53 of the Act which deals with the reporting of contraventions and lodging of complaints, states that any person may report a contravention with the Provincial Registrar and if the complaint discloses an offence, the Provincial Registrar must lay a charge with the South African Police Service. Due to the nature of their function with respect to the handling of complaints, it is best that Provincial Registrars be contacted directly to provide more information in this regard.

2. (a and b)In the last three (3) financial years, the result of one (1) case was reported to the National Registrar. The Western Cape Provincial Registrar reported in May 2021 that he issued a sanction to a tourist guide found guilty of committing fraud, misrepresentation and misconduct in terms of section 55 of the Act. As a result, the registration of the guide in question was withdrawn for a period not exceeding five (5) years.

3. (a and b) No further information has been made available to the National Registrar regarding the results of any case dealt with by the Provincial Registrars in terms of section 53 of the Act. The honourable member can contact the various provincial tourism departments/entities that deal with tourist guides.