

<b>Domain</b>	<b>TOUR GUIDING</b>	<b>Unit ID: 193</b>
<b>Title:</b>	<b>Identify business, financial and legal requirements for a tour guiding business</b>	
<b>Level: 4</b>		<b>Credits: 14</b>

### Purpose

This unit standard specifies the competency required to demonstrate knowledge of the legal and financial requirements of operating a tour business. This includes identifying and implementing legal requirements for a tour guiding business, applying knowledge of the functions and legal requirements for different types of business agents in the tour guiding industry, insurance requirements, financial and taxation requirements and requirements for planning and operating a tour. This unit standard is intended for those who work as tour guides.

### Special Notes

1. This unit standard is to be delivered and assessed in the context of tour guiding operations and should be assessed in conjunction with other relevant technical unit standards selected from this domain.
2. To demonstrate competence, at a minimum, evidence is required of identifying and implementing legal requirements for a tour guiding business, applying knowledge of the functions and legal requirements for different types of business agents in the tour guiding industry, insurance requirements, financial and taxation requirements and requirements for planning and operating a tour.
3. Assessment evidence may be collected from a real workplace, or simulated real workplace or an appropriate simulated realistic environment in which tour guiding operations are carried out.
4. All tour guiding businesses must have a business plan in which service provision and options for leasing or ownership of business premises and equipment arrangements are described.
5. Tour guides must comply with the Namibia Tourism Board's Code of Conduct for Tour Guides.
6. Regulations and legislation relevant to this unit standard include the following:
  - Labour Act No 6, 1992
  - The Social Security Act 1994
  - The Employee Compensation Amendment Act 5 of 1995
  - Liquor Act 6 of 1998
  - Public Health Amendment Act 45 of 1976
  - The International Health Regulation Act 28 of 1974
  - Nature Conservation Ordinance 4 of 1975
  - Namibia Tourism Board Act 21 of 2000
  - Forestry Ordinance of 1952
  - Forestry Act No. 72 of 1968
  - CITES 1 and 2
  - Diamonds Act, 1999 (Act No. 13 of 1999)
  - Minerals Development Fund of Namibia Act, (No. 19 of 1996)

- Minerals (Prospecting & Mining) Act, 1992 (Act No. 33 of 1992)
- Petroleum Products and Energy Amendment Act, 2000
- National Energy Fund Act of 2000
- Gas Act (Draft 2b)
- Petroleum (Exploration and Production) Amendment Act 1993 (Act 2 of 1993)
- Electricity Act, 2000 (Act No. 2 of 2000)
- Water Resources Management Act 24 of 2004
- Road Traffic and Transport Act, No. 22 of 1999
- Road Traffic & Transport Regulation of 2001
- Occupational Health and Safety Regulations No.18, 1997 and all subsequent amendments to any of the above.

### **Quality Assurance Requirements**

This unit standard and others within this subfield may be awarded by institutions which meet the accreditation requirements set by the Namibia Qualifications Authority and the Namibia Training Authority and which comply with the national assessment and moderation requirements. Details of specific accreditation requirements and the national assessment arrangements are available from the Namibia Qualifications Authority and the Namibia Training Authority on [www.nta.com.na](http://www.nta.com.na)

## **Elements and Performance Criteria**

### **Element 1: Identify and implement legal requirements for establishing a tour guiding business**

#### **Performance Criteria**

- 1.1 Possible legal options for the business structure are identified.
- 1.2 Legislation, codes of practice and regulatory requirements affecting the structure and establishment of tour guiding businesses are identified.
- 1.3 Actions are planned and implemented to ensure full compliance with all legal requirements for establishing a tour guiding business.

### **Element 2: Comply with legislation and regulatory requirements impacting on the operation of a tour guiding business**

#### **Range**

Property insurance for tour guiding business includes but is not limited to vehicles and equipment.

Insurances include but are not limited to passenger, public liability, workers' compensation, property, accident.

Taxation requirements include but are not limited to VAT, company, payroll.

#### **Performance Criteria**

- 2.1 Systems are established to ensure the legal rights and responsibilities of the business are identified, and the business is adequately protected, especially in

regard to Occupational Health and Safety, business registration and environmental requirements.

- 2.2 Taxation requirements relative to the business are identified and procedures are followed to ensure compliance.
- 2.3 Financial record keeping requirements relevant to the business are identified and procedures are followed to ensure compliance.
- 2.4 Legal documents are identified carefully maintained and relevant records are kept and updated to ensure their ongoing security and accessibility.
- 2.5 Insurance requirements are identified and adequate cover is acquired.
- 2.6 Compliance with legal and regulatory requirements is monitored.
- 2.7 Investigations are conducted to identify areas of non-compliance with legal and regulatory requirements and corrective action taken where required.

### **Element 3: Negotiate and arrange contracts**

#### **Range**

Features of contracts for provision of tour guiding services include itineraries, fees, schedules, licenses, cancellation provisions and insurances.

Service providers may include but are not limited to travel agents, transport providers, catering and accommodation providers, trades' people.

#### **Performance Criteria**

- 3.1 Contracts for provision of tour guiding related products and services are negotiated and arranged with customers.
- 3.2 Conditions applying to provision of tour guiding related products and services are investigated to ensure compliance with legal and contractual requirements, as required.
- 3.3 Contracts with service providers are negotiated and secured, as required, in accordance with the business plan.
- 3.4 Options for leasing/ownership of business premises and equipment are identified and contractual arrangements completed in accordance with the business plan.
- 3.5 Legal advice on contractual rights and obligations is sought, if required, to clarify business liabilities.

## **Registration Data**

<b>Subfield:</b>	Hospitality and Tourism
<b>Date first registered:</b>	16 November 2006
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