

# Tourism Law

## Chapter 1: Definitions and Objectives

### Article 1

The following terms and expressions, used herein, shall have the meanings assigned thereto, unless the context requires otherwise.

**SCTA:** Saudi Commission for Tourism and Antiquities.

**Regulations:** Any regulations issued in implementation of the provisions of this Law.

**President:** SCTA President.

**Tourism-related Services and Professions:** Travel and tourism agencies, recreational services, tourist service providers, tour operators, tour guides, tourist accommodation marketing and booking offices, and other tourism-related services and professions except those falling within the jurisdiction of other entities.

**Licensee:** Any natural or corporate person holding a valid license from SCTA to operate and manage tourist accommodation facilities and tourism-related services and professions, in accordance with the provisions of this Law.

**Tour Operator:** Any licensee who regularly organizes, markets or sells tourist trips and programs within the Kingdom or abroad to the public for a fee, provided two or more of the following services are included:

a) arranging transportation and car rental services for tourism

purposes;

- b) arranging tourist accommodation and lodging;
- c) arranging tourist catering;
- d) arranging recreational services;
- e) arranging tour guide services;
- f) arranging travel insurance with licensed insurance companies, upon obtaining approval of relevant authorities; and/or
- g) any other service approved by SCTA.

**Tourist Accommodation Marketing and Booking Office:** Any licensee offering marketing or booking services associated with licensed tourist accommodation units, within the Kingdom or abroad, in exchange for a fee.

**Travel and Tourism Agent:** Any licensee who regularly offers one or more separate services for a fee. Such services include, but are not limited to, the following:

- a) issuing and selling tickets for travel by various modes of transportation within the Kingdom or abroad on behalf of carriers and their services;
- b) marketing and selling tourist programs offered by tour operators;
- c) arranging, preparing or maintaining travel documents, in compliance with applicable laws and regulations;
- d) arranging tourist accommodation and lodging;
- e) arranging recreational services;
- f) arranging transportation and car rental services for tourism

purposes; and

- g) arranging travel insurance with licensed insurance companies, upon obtaining the approval of relevant authorities.

**Tour Guide:** Any natural person licensed to practice tour guide services in tourist attractions in the Kingdom, and provide tourists with information relating to such attractions, for a fee.

**Tourist Accommodation Facility:** Any place that provides accommodation or any other supporting services mainly to tourists for a fee, whether a hotel or any other residential unit established for the same purpose.

**Public Tourist Sites:** Natural public sites (not privately owned), such as beaches and the like, as well as sites proposed by SCTA and approved by the Council of Ministers.

## Article 2

This Law aims to regulate the relationship between tourist facilities and tourism-related services in general, and any person engaging in or benefiting from any activity stipulated in this Law.

## Article 3

1. SCTA shall, in consultation with relevant agencies, propose public tourist sites. The Regulations shall set governing rules.
2. Public tourist sites are protected by law and may not be privately owned. Such sites shall be exploited or directly invested by the State, or leased to the private sector through public bidding.

3. SCTA may propose certain public lands for investment by the private sector in coordination with the government entity owning such lands, upon obtaining necessary approvals.

#### **Article 4**

SCTA shall provide relevant agencies with the following:

- a) the criteria to be considered when organizing, developing or supporting tourist activities;
- b) the criteria SCTA deems proper for activities of marine tourism, agro-tourism, health tourism, business tourism, desert tourism, and other forms of tourism considered to contribute to the development of services, products and programs related thereto which are approved by SCTA's Board of Directors; and
- c) the criteria to be considered when publishing pamphlets, brochures, books, maps, guides, pictures, posters or electronic material for the purpose of promoting tourism.

### **Chapter 2: Classification of Tourist Activities, Services and Professions**

#### **Article 5**

1. A person wishing to enter into the Kingdom for tourism purposes shall obtain a valid tourist visa, unless such visa is not required.
2. SCTA shall issue tourist visa permissions in accordance with controls agreed upon by SCTA and the Ministries of Interior

and Foreign Affairs. The Regulations shall specify procedures for the issuance of said permissions.

## **Article 6**

SCTA shall, in accordance with applicable laws, promote the establishment of associations concerned with tourist accommodation facilities and tourism-related services and professions.

## **Article 7**

1. No activity related to tourist accommodation facilities, tour organization, travel and tourism agencies, tourist accommodation marketing and booking, or tourist guiding may be engaged in prior to obtaining a license from SCTA, upon fulfilment of conditions and requirements and provision of necessary guarantees specified in the Regulations.
2. SCTA shall, in coordination with relevant agencies and in accordance with the general policy for the development and promotion of tourism, identify other tourism-related services and professions not listed in paragraph (1) of this Article. The provisions of paragraph (1) of this Article shall apply to said tourism-related services and professions unless they fall within the jurisdictions of other agencies.

## **Article 8**

Without prejudice to the jurisdictions of other agencies, SCTA shall be in charge of the following:

- a) issuing classification certificates for tourist accommodation

facilities as well as tourism-related services and professions. The Regulations shall specify the classification criteria and manner of implementation as well as appeal and objection procedures;

- b) monitoring rates of accommodation units, which must be clearly displayed by the operator. The Regulations shall specify the manner for determining rate lists; and
- c) monitoring rates and charges of accommodation services and tourism-related services offered by the licensee. The rates and charges must be clearly displayed by the operator. The Regulations shall set the criteria for determining the rates.

### **Chapter 3: Monitoring Tourist Accommodation Facilities and Premises of Tourist Activities**

#### **Article 9**

1. Designated SCTA officers shall have the right to monitor and access tourist accommodation facilities and places in which tourism-related services and professions are practiced, and carry out inspections upon presenting their official credentials. Said officers may access records of tourist services, request necessary data and attend to consumer complaints. The persons in charge of tourist accommodation facilities as well as tourism-related services and professions shall provide SCTA officers with necessary assistance. Detected violations shall be recorded and referred to the committee stipulated in Article 14 of this Law.
2. SCTA may seek the assistance of any technical or specialized

body to carry out inspection, in compliance with applicable rules and regulations.

### **Article 10**

1. The professional standards set by SCTA shall be observed when private training and educational entities conduct qualifying or training programs relating to tourist accommodation facilities and tourism-related services and professions.
2. SCTA shall set professional standards for tourist professions, and provide public and private training and educational entities offering tourist educational programs with such standards for guidance and to constitute the minimum requirements for courses provided to meet the needs of the labor market.

### **Article 11**

SCTA shall, in coordination with the Ministry of Interior and other relevant agencies, set up a tourist information center to help agencies that serve tourists and provide them with necessary information.

### **Article 12**

1. The licensee shall provide SCTA with the particulars of its staff and update such particulars in the event of deletion or addition within a period not exceeding three months.
2. The licensee shall provide SCTA with tourist information and statistics, in accordance with the Regulations.

## Chapter 4: Penalties

### Article 13

1. Without prejudice to any penalty provided for in any other law, or the right of the aggrieved person to claim compensation for the damage resulting from the violation of the provisions of this Law, the following penalties shall be imposed:
  - a) a fine not exceeding 100,000 riyals and/or revocation of the license for violating the provisions of Article 7 of this Law;
  - b) a fine not exceeding 50,000 riyals for violating the provisions of Article 8(a) or Article 9 of this Law; and/or
  - c) a fine not exceeding 10,000 riyals for violating the provisions of Article 8(b and c) of this Law.
2. The maximum penalties stipulated in this Article may be doubled in case the violation is repeated.
3. The decision relating to the penalty provided for in paragraph (1)(a) of this Article may include a stipulation to publish the decision at the expense of the violator in a newspaper(s) issued in the area of his residence or, if not available, in the nearest area, or publish it in any other appropriate medium, depending on the severity and impact of the violation, provided the decision is published upon becoming final.

### Article 14

1. Pursuant to a decision by SCTA's Board of Directors, one or

more committees comprising not less than three members, one of whom is a legal adviser, shall be formed to consider violations of the provisions of this Law and its Regulations and impose prescribed penalties.

2. Committee decisions may be appealed before competent courts.
3. The Regulations shall determine committee work procedures and remunerations of committee members.

### **Article 15**

SCTA may charge fees for services provided under the provisions of this Law, provided a resolution is issued by the Council of Ministers specifying such services and fees upon a recommendation by SCTA, in agreement with the Ministry of Finance.

## **Chapter 5: General Provisions**

### **Article 16**

Operators of tourist accommodation facilities and practitioners of tourism-related services and professions shall comply with the provisions of this Law within one year from the date of its entry into force.

### **Article 17**

This Law shall supersede the Hotels Law issued by Royal Decree No. (M/27) dated 11/04/1395H and shall repeal any conflicting provisions.

## **Article 18**

SCTA's Board of Directors shall issue the Regulations of this Law.

## **Article 19**

This Law shall come into effect 180 days following the date of its publication in the Official Gazette.