

**Tourist guiding legislation:
South Africa, Australia and Canada in a comparative perspective.**

by

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TO BE A TOURIST is to escape accountability. Errors and failings don't cling to you the way they do back home. You're able to drift across continents and languages, suspending the operation of sound thought. Tourism is the march of stupidity. You're expected to be stupid. The entire mechanism of the host country is geared to travellers acting stupidly. You walk around dazed, squinting into fold-out maps. You don't know how to talk to people, how to get anywhere, what the money means, what time it is, what to eat or how to eat it. Being stupid is the pattern, the level and the norm. You can exist on this level for weeks and months without reprimand or dire consequence. Together with thousands, you are granted immunities and broad freedoms. You are an army of fools, wearing bright polyesters, riding camels, taking pictures of each other, haggard, dysenteric, thirsty. There is nothing to think about but the next shapeless event.

(Don DeLillo, July 17th 1989)¹

¹ D. DeLillo, *The Names*, p.43.

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List of acronyms and abbreviations

ABLIS	Australian Business Licence and Information Service
ATC	Australian Tourist Commission
APGT-Montréal	Association Professionnelle des Guides Touristique, Chapitre de Montréal
CATHSSETA	Culture, Arts, Tourism & Hospitality and Sport Sector Education Training Authority
C-BG	Cross-Border Guiding
CBT	Community Based Tourism
C-BT	Cross-Border Tourism
CER	Closer Economic Relations
CTC	Canadian Trade Commission
CTGA	Canadian Tourist Guiding Association
DMO	Destination marketing Organisations
FGASA	Field Guide Association of Southern Africa
FSATGA	Federation of South African Tourist Guide Association
GDP	Gross Domestic Profit
GOA	Guiding Organisations Australia
HLTA	Hospitality Leisure & Tourism Advisory
IATG	Institute of Australian Tour Guides
IGA	International Guide Academy
IIPT	International Institute for Peace through Tourism
ITOA	Inbound Tourism Organisation of Australia
NAFTA	North American Free Trade Agreement
NAI	National Association for Interpretation
NCOP	National Council of Provinces
NDT	National Department of Tourism
NEC	National Executive Members
NQF	National Qualifications Framework
NTA	National Tourism Administration
NTGA of SA	National Tourist Guiding Association of South Africa
OTAs	Official Tourism Administrations
PTGAA	Professional Tour Guide Association of Australia
RETOSA	Regional Tourism Organization of Southern Africa
RPL	Recognition of prior learning
SADC	Southern African Development Community
SAQA	South African Qualifications Authorities

SAT	South African Tourism
SATGA	South Australian Tourist Guides Association
SATOUR	South African Tourism Board
SATSA	South African Tourism Services Association
TAFE	Technical and Further Education Commission of New South Wales
TEFI	Tourism Education Futures Initiative
THETA	Tourism, Hospitality and Sports Education Training Authority
TIAC	Tourism Industry Association of Canada's
TIDSA	Travel Industry Development Subsidiary Agreements
T-QUAL	The National Tourism Accreditation Framework
TTR	Trans-Tasman Relationship
UNESCO	United Nations Environmental, Scientific and Cultural Organization
UNWTO	United Nations World Tourism Organization
WFTGA	World Federation of Tourist Guide Associations
WTO	World Tourism Organization
WTTC	World Travel and Tourism Council

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Summary

Not only is tourism becoming one of the fastest growing industries of both the developed and developing countries, it is also the point of entry into a country and its culture. The movement of people between countries and the burgeoning size of the tourism industry has created the need for the professionalisation of tourist guides within countries. Furthermore, there has also developed a need for implementing tourist guiding legislation to better regulate the tourism sector.

The tourist guide has become one of the key industry players, because he or she is usually the first point of contact between the tourist and the country. As such, this study will focus on the development and implementation of tourist guiding legislation in three destinations: South Africa, Canada and Australia. It will compare the different regulatory measures each country has implemented and also look at the relationship between the tourist guide and government, as well as the relationship of the tourist guide and the tourist. The importance of the tourist guide as mediator or interpreter will also be focused on. Lastly the concept of cross-border tourism will also be considered, this is because people usually visit more than one country when they go on holiday and tourist guides will often have to operate between the two countries and take part in cross-border tourism.

In short, this study will be a comparative one primarily concerned with tourist guiding legislation within South Africa, Canada and Australia. It will consider the place of the tourist guide within the historical and practical context.

Keywords: South Africa; Canada; Australia; tourist guide; tourism; tourism legislation; regulation and professionalization.

CHAPTER 1 INTRODUCTION

1.1. Background

Tourism is increasingly becoming a key industry to many developing as well as developed countries with its overwhelming potential for future growth.¹As a result, and with the influx of tourists, it has become necessary for governments to implement more responsive and responsible tourism policies. This is particularly true of the heritage and cultural tourism sector, being a relatively new phenomenon and given the sensitive nature of the sites and the societies it encompasses.²

Tourism is also responsible for employing large numbers of people in a variety of sectors with a range of skills. One of the key role players in the tourism industry is the tourist guide. As such, this study will focus on the development and implementation of tourist guiding legislation in three destinations: South Africa, Canada and Australia. It will compare the different regulatory measures each country has implemented and also look at the relationship between the tourist guide and government, as well as the clients and communities they interact with. It also aims to investigate the indispensable role of the tourist guide in the broader domain of the tourism industry. It will consider to what degree the legal parameters determine both the operational functionality, as well as the status of the tourist guide. This is important because it relates directly to the success of the destination, as the tourist guide is the frontline professional, an information giver and interpreter acting as the representative on behalf of the destination.³

A former Minister of Tourism in South Africa, Marthinus van Schalkwyk said, “Tour guiding is fast becoming an attractive career choice.”⁴ This is because tourist guides form an essential part of the destination, they are usually the first person with whom the tourists interact with upon arrival and they act as the interpreters or mediators between the tourist and the

¹ R.W. Butler (Ed.), *The Tourism Area Life Cycle. Applications and Modifications*, vol. 1, p. 303.

² A. Galla, The Tshwane Declaration: setting standards for heritage tourism in South Africa, *Museum International* (UNESCO Paris) no.200, vol.50 (4), 1998, p. 38.

³ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

⁴ South African Government Website, ‘Minister calls on tourists to use registered tour guides only’, <<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=16086&tid=27819>>, s.a. Accessed: 2011-06-21.

destination. It is therefore important that tourist guides adequately educate themselves about all cultures of a destination and are trained professionals when dealing with the host culture and the tourists.⁵ In South Africa and Canada this is the case. While tourist guides mostly work as volunteers in Australia, in some instances they also need to have a professional qualification. Australia, like South Africa and Canada, is increasingly moving towards well-educated tourist guides with a professional status within the tourism industry.⁶ All three countries emphasise the importance of the tourist guide by having established special courses and schools for tourist guide training, which grant diplomas or regulate tourist guides entering into the profession. This is done through the necessary licensing and accreditation by the respective tourist guiding associations and official authorities within each of these countries.⁷

At a historical level, the three countries selected for this study, South Africa, Canada and Australia, are all part of the Commonwealth of Nations. While these countries share a common history of nineteenth century political principles, as well as related colonial encounters, there are also specific historical differences. The most obvious being the twentieth century introduction of apartheid in South Africa, which followed on from what can be regarded as a shared colonial discriminatory period. Given their similar history they do share common cultural attractions, but within each country there are diverse cultures that are germane to each. While these countries boast their natural diversity, they also share a heritage which includes the first peoples or indigenous groups, also known as the Aborigines in Australia,⁸ the San and Khoi Khoi in South Africa,⁹ while the first nations in Canada include Indian, Inuit and Métis peoples (the latter are also referred to as the Aborigines but must not be confused with the Aborigines of Australia).¹⁰ In all three instances the population includes Europeans, who arrived between three or four centuries ago along with a range of other minorities and, in the case of South Africa, majority groups.

⁵ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

⁶ *Ibid*, p. 1.

⁷ E. Cohen, The Tourist Guide. The origins, structure and dynamics of a role. *Annals of Tourism Research*, vol. 12(1), 1985, pp. 20-22.

⁸ Australian Government, "Australian government website", <<http://australia.gov.au/about-australia/our-country/our-people>>, s.a. Accessed: 2012-08-06.

⁹ South Africa. Info, 'Brand South Africa country portal', <<http://www.southafrica.info/about/history.html>>, s.a. Accessed: 2013-08-18.

¹⁰ Canada's First Peoples, 'Canadian Heritage', <<http://firstpeoplesofcanada.com>>, s.a. Accessed: 2013-08-18.

At an environmental level, although varied and vast, the three destinations have similar types of tourism attractions within the natural domain. The three countries' biomes are very different, and hence much of the fauna and flora is unique to their respective regions. By looking at the tourism slogans used by these countries one can get an idea of what each has to offer and how this encapsulates the range of tourist attractions. Slogans are generally one-liners used by the country to try and sell its splendour and all the spectacular attractions it has to offer. In all three of the countries used in this dissertation their respective slogans capture the different aspects of the country and not just one specific area of speciality.

Because of its geographic isolation Australia is said to be “like no other”, although some of the species found in Australia may be found on the African continent as well as in some regions of Canada.¹¹ Australia is filled with a spectacular collection of places of great cultural, natural and spiritual significance together with numerous World Heritage sites.¹² Its range of unique attractions is captured in their tourism consumer marketing campaign entitled: “There’s nothing like Australia”. This is a relatively new creative advertising brand building on an already successful and established platform. This campaign is used to take tourism a step further by specifically focusing on quality, highlighting examples of some of the very best attractions and experiences within the most significant natural areas and their surrounding regions.¹³

South Africa is also known for the richness and unique composition of its flora and fauna. The wealth and range of natural, historical and cultural attractions in South Africa are encapsulated in the phrase, “A world in one country”.¹⁴ This, reflects on its wide range of natural heritage, including lush tropical regions to dry arid deserts, as well as World Heritage sites. It also reflects on the diverse cultural heritage of a multi-cultural society.

¹¹ Australian Government, “Australian government website”, <<http://australia.gov.au/about-australia/our-country/our-people>>, s.a. Accessed: 2012-08-06.

¹² Tourism Australia, ‘Tourism Australia Home Page’, <<http://www.tourism.australia.com/en-au/>>, s.a. Accessed: 2012-08-06.

¹³ *Ibid.*

¹⁴ Anonymous[a], ‘Passion South Africa website’, <<http://www.passion-southafrica.com/regions/south-africa>>, s.a. Accessed: 2012-08-16.

Canada uses the slogan, “Canada Keep Exploring”¹⁵, and suggests that Canada is a country with a wide range of attractions. The Canadian tourism website indicates that Canada can be explored from coast to coast and is filled with unexpected wonders, spectacular natural beauty and diverse and sophisticated cities that are sure to awaken the inner explorer of a tourist. Canada is “is a country as diverse and unique as those who call it home.”¹⁶ Like South Africa and Australia, Canada also consists of a variety of geographic, ecologic, vegetative, cultural and historical attractions.

As regards political infrastructure these three countries also share some comparative similarities: Canada and Australia are essentially federal states, while South Africa has a unitary state structure meaning the whole country is subject to the same legislative prerequisites but with some federal elements at provincial level.¹⁷ Under a federal system, powers are divided between a central government and individual states. In the case of Canada and Australia their several states within the national boundaries are governed by different regulations and legislative prerequisites.¹⁸ In Canada the powers of the parliaments are limited by the constitution, which divides legislative abilities between the federal and state divisions; in general, the legislatures of the provinces may only pass laws relating to topics explicitly reserved for them by the constitution, while any matter not under the exclusive authority of the provincial legislatures is within the scope of the federal parliament's power. In some cases, however, the jurisdictions of the federal and provincial parliaments may be vague; however the federal parliament is used to regulate the more general provincial legislatures. Canada is thus a federation with two distinct jurisdictions of political authority: the country-wide federal government and the ten provincial governments.¹⁹

¹⁵ Keep exploring, ‘Canadian Tourism Commission website’, <<http://www.canada.travel/selectCountry.html>>, s.a. Accessed: 2012-08-06.

¹⁶ Government of Canada, ‘Canadian Government Website’, <<http://www.canada.gc.ca/aboutcanada-ausujetcanada/tour/menu-eng.html>>, s.a. Accessed: 2011-08-14.

¹⁷A.J. Veal, *Leisure, Sport and Tourism, Politics, Policy and Planning 2nd Edition*, pp. 73-74.

¹⁸ *Ibid*, pp. 74-75.

¹⁹ Government of Canada, ‘Canadian Government Website’, <<http://www.canada.gc.ca/aboutcanada-ausujetcanada/tour/menu-eng.html>>, s.a. Accessed: 2011-08-14.

Although the six states joined together to form the Commonwealth of Australia and the Australian government, they still each retain the power to make their own laws over matters.²⁰ The structure of the Australian government may be examined in light of two distinct concepts, namely federalism and the separation of powers into executive, legislative and judicial branches of government. Separation of powers is implied from the structure of their Constitution which breaks down the branches of government into separate chapters. This is because the Constitution created a “federal” system of government. In Australia, power was divided between the Australian government and the six state governments.²¹

In South Africa the nine provinces are subject to the central government and national legislation. However, there are limited powers accorded to the provincial domain which included issues such as local regulations. In the context of South Africa, in 1910 when Union was established a compromise was made between a unity and a federal system. In the post-1994 democratic dispensation this model was maintained, if not extended, with the introduction of nine provinces with separate administrations accountable to a central government.²² Thus it still has a federal-type of government system similar to that of Canada and Australia.²³

In all three countries there are three branches working together to govern the country: the executive, legislative and judicial branches. While keeping disparities in mind, given the degree of similarity between the three countries at various levels this makes them viable for a comparative analysis. In light of this, the legislation of the abovementioned countries will be examined and compared to determine where formal legislation regarding tourism is in place and how it regulates tourist guides.

Furthermore, the role of the various governments will also be examined for its involvement and participation in the implementation process of tourist guiding legislation. By doing this the governmental roles, initiatives, incentives and intentions towards tourist guiding will be determined. This will be done by looking at the different government structures relating to

²⁰ Nexus Strategic Partnerships Ltd., ‘Commonwealth of Nations Homepage’, <<http://www.commonwealth-of-nations.org>>, s.a. Accessed: 2011-11-13.

²¹ A. J. Veal, *Leisure, Sport and Tourism, Politics, Policy and Planning 2nd Edition*, pp. 74-75.

²² H. Giliomee & B. Mbenga (Eds.), *Nuwe Geskiedenis van Suid-Afrika*, pp. 229-232.

²³ South African Government, ‘South African Government Website’, <<http://www.info.gov.za>>, s.a. Accessed: 2011-06-21.

the tourism industry and tourist guiding specifically within each country. This will include a consideration of the current state of tourism by focusing on aspects such as visa requirements and work permits, regional tourism development and policies. Furthermore, the concept of tourist guiding, including training programmes, skills development and accreditation systems used across the regions of each country and their bordering country will also be examined.

1.2. Definitions and concepts

This section presents brief definitions of the various key concepts that will be used in this study. It is important that these are clearly understood particularly for the purpose of comparative analysis.

The pivotal concept is that of a tourist guide, a person qualified to conduct tours of specific localities or attractions. A **tourist guide** provides assistance, information and cultural, historical and contemporary heritage interpretation to people on organized tours, individual clients, educational establishments, at religious and historical sites, museums, and at venues of other significant interest.²⁴ In essence, the tourist guide is responsible for assisting tourists in connecting and engaging with the destination.²⁵ By doing this the tourist guide provides the tourists with a link to the destination by unpacking the history, the people and the cultural heritage as well as the natural environment.²⁶ In short, the tourist guide can be termed a “mediator”.²⁷ A tourist guide is therefore regarded as a professional whose job it is to lead or direct visitors in a country, while identifying and explaining to the travellers and tourists the different places of interest. To inform, explain and advise they will use oral communication to present their country to tourists who are generally visitors from another country or region. The tourist guide as one of the only professionalised sectors in the tourism industry, normally has a recognized national or regional tourist guide qualification.²⁸ The European Committee for Standardisation’s definition for "a tourist guide" is:

²⁴ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

²⁵ DAC, ‘Department of Arts and Culture’, <<http://www.dac.gov.za>>, s.a. Accessed: 2011-11-16.

²⁶ W. Jamieson (ed.), *Community Destination Management in Developing Economics*, p. 85.

²⁷ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

²⁸ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’, <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-10-15.

[a] person who guides visitors from abroad or the home country in the language of their choice (if possible) or a language that they can understand and interprets the cultural and natural heritage of an area, which person normally possesses an area-specific qualification usually issued and/or recognized by the appropriate authority.²⁹

The tourist guide as **interpreter** represents a vital link between the visitors and their experience of the country in which they act as tourist guides and its many tourist attractions. Many local tourist guides are also fluent in foreign languages as well as some of the official languages of the country of origin. This gives them the advantage to effectively double as interpreters and bridge the language barrier between the host destination and the tourists. Thus they interpret the specific meanings and heritage aspects relating to the nature, culture and history of the destination to the tourist in their own language or a language that both the tourist guide and the tourist can communicate in.³⁰ Interpretation thus works at two levels: linguistic and as a cultural broker.

Related to this is the tourist guide as **mediator**. This is when the tourist guide shows and interprets the local cultural heritage, living culture, cultural identity of the destination. Tourist guides mediate between the host destination and the tourist, maintaining a cultural sensitivity towards the host destination. In this regard the tourist guide also has to be an ambassador for the host destination and it becomes their responsibility to always play this role effectively.³¹

Legislation can be seen as the legally binding acts and laws passed by government.³² Legislation, or rather the acts themselves, may be seen and interpreted as encapsulating the policy at state, provincial or national level. Legislation is a set of guidelines proposed and enacted by government structures to regulate a sector such as the tourism industry.³³ This can specifically regulate the tourist guide as well.

²⁹ FGASA, 'Field Guides Association of South Africa', <<http://www.fgasa.co.za>>, s.a. Accessed: 2011-11-23.

³⁰ Tour guide.co.za, 'Tour guide website', <<http://www.tourguide.co.za/en/about>>, s.a. Accessed: 2011-10-22.

³¹B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 2-3.

³² S.J. Page & J Connell, *Tourism a modern Synthesis 3rd edition*, p. 644.

³³ B.A. Lubbe (ed.), *Tourism Management in South Africa*, p. 163.

Policy, on the other hand, can be defined as a set of acceptable principles and plans constituting a programme of action in the management of an industry. In the context of this study, it is the way in which tourist guides have to operate.³⁴ It is the direction and stated objectives of government and other governmental structures or departments' wishes to pursue over a set period of time. In more recent times it has become apparent that tourism policy can be used to position tourism as a major engine of economic growth and to harness the potential of a destination. Tourism policy can also reflect the strategic direction that a government deems appropriate to follow. There are different levels of policy: national, federal, state, provincial and local levels that can to some degree influence affairs in a country.³⁵ This can also impact on the tourist guide.

Regulations are at best defined as a set of rules, laws and guidelines that one needs to abide by.³⁶ They can, for example, be seen as the way in which governments protect markets against unfair competition by means of controls and penalties. They provide order and organise the sector, and in this instance include both the tourism and the hospitality sector. These regulations often assist and guide individuals and organisations to perform and act in a socially acceptable and ethical manner. Regulations can be regarded as the parameters or the legal field within which the individual, and in this instance, the tourist guide has to operate. Usually a series of regulations follow from the establishment of a particular act.³⁷ Again, these can have implications and direct impact on the tourist guide.

The **code of conduct** is a set or list of guidelines advising a tourism stakeholder, such as the tour operators and tourist guides, including tourists, on how to behave in an environmentally responsible manner. It is also closely related to the **code of ethics or practice**, which are recommended practices based on a system of self-regulation intended to promote environmentally and/or socio-culturally sustainable behaviour.³⁸

³⁴ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 13.

³⁵ S.J. Page & J Connell, *Tourism a modern Synthesis 3rd edition*, pp. 317 & 646.

³⁶ B.A. Lubbe, (ed.) *Tourism Management in Southern Africa*, pp. 161-163.

³⁷ *Ibid*, p. 161.

³⁸ Anonymous [c], *Sustainable Tourism Info-Sheets, Tourism Glossary*. <<http://www.gdrc.org/uem/eco-tour/t-glossary.html>>, s.a. Accessed: 2014-10-27.

Heritage and cultural tourism can be described as tourism orientated towards cultural heritage of the destination where tourism is occurring.³⁹ Heritage and cultural tourism can be defined as: “travelling to experience the places and activities that authentically represent the stories and peoples of the past and present.”⁴⁰ It is more about experiencing the lifestyle and culture of the people of the host community visited.⁴¹ Heritage and cultural tourism can be seen as things of value that are inherited which people want to keep. Heritage can be natural, cultural, tangible, intangible, personal or collective. Natural heritage is often conserved in places such as reserves and national parks. Cultural heritage practices are often conserved through on-going traditions and practices. Heritage and cultural tourism occurs when the tourists participate in a heritage and cultural activity, and it is the main purpose for visiting the destination. Tourist will visit cultural events like performing arts (theatre, dances, music performances or festivals), visual art exhibitions, curios and crafts markets, festivals, museums, monuments, memorials and cultural centres or villages, historic sites and interpretive centres.⁴²

Heritage tourism can also be seen as a separate sector that is directed towards specifically experiencing the heritage of a city, region, state or country. This will enable the tourist to learn about and be surrounded by local customs, traditions, history and culture.⁴³

As culture also plays a major role in heritage and cultural tourism it is necessary to also define the concept. **Culture** is a complex concept, but can be defined as follows:

An integrated system of learned behaviour that is characteristic of the members of any given society. Culture refers to the total way of life of particular groups of people. It includes everything that a group of people thinks, says, does and makes – its customs, language, material artefacts and shared systems of attitudes and feelings. Culture is learned and transmitted from generation to generation. By definition,

³⁹ D. Leslie & M. Sigala (Eds.), *International Cultural Tourism: Management Implications and cases*, p.

3.

⁴⁰ *Ibid*, p. 3-5

⁴¹ *Ibid*, p. 4-5

⁴² *Ibid*, p. 3-5

⁴³ Federal Provincial Territorial Minister of culture and Heritage, *Cultural & Heritage Tourism a handbook for community champions*, pp. 6-8.

we can see that a particular culture would consist of at least the following: manners, customs, beliefs, ceremonies, rituals, laws (written and unwritten), ideas, and thought patterns, language, art and artefacts, tools, social institutions, religious beliefs, myths and legends, knowledge, values, concept of self, morals, ideals and accepted ways of behaving. In short, culture is the total way of life of any group of people.⁴⁴

Cross-border tourism is internationally recognized as tourism which takes place between neighbouring societies across their borders. It filters the flow of people, goods, ideas and services between national borders countries.⁴⁵ This means that the function of international boundaries as barriers is decreasing which in turn implies that the position of borderlands as areas of contact and cooperation between different systems is gaining in strength. This is especially the case in areas of South Africa with the South African Development Community (SADC) countries borders, Canada with its borders to the United States of America and the Australian states with New Zealand where nature reserves, cultural and natural parks or biospheres spread across two countries, states or provinces.⁴⁶ These initiatives may have an environmental rationale, but are often also seen as part of peace-keeping and or peace-promoting infrastructure.⁴⁷

There is no clear consensus concerning the definition of **tourism**. Nearly every institution or organisation has a different definition for the concept.⁴⁸ But when it comes to explaining tourism the World Tourism Organisation (WTO) sums it up as follows: “a social, cultural and economic phenomenon which entails the movement of people to countries or places outside their usual environment for personal or business/professional purposes.”⁴⁹ However the

⁴⁴ H.A. Sadri & M. Flammia, *Intercultural communication: a new approach to international relations and global challenges*, p. 32.

⁴⁵ D.J. Timothy, “Political boundaries and tourism: Border as tourist attractions.” *Tourism Management* vol. 16 (7), pp. 525-528.

⁴⁶ B. Bramwell & B. Lane (Eds.), *Aspects of Tourism. Tourism Collaboration and Partnerships. Politics, Practice and Sustainability*, p. 20.

⁴⁷ N. Salazar, “Building a ‘Culture of Peace’ through Tourism: Reflexive and analytical notes and queries”, *Universitas Humanística*, no.62 July -December 2006, pp. 322-324.

⁴⁸ UNTWO, ‘World Tourism Organisations Website’, <<http://www2.untwo.org/>>, s.a. Accessed: 2012-10-14.

⁴⁹ *Ibid.*

commonly accepted definition is that of the United Nations World Tourism Organisation (UNWTO) which defines tourism as: “the activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business, and other purposes.”⁵⁰ This definition serves to widen the scope of tourism within the broader spectrum of the industry.

The **public sector** is another term that will be used in the context of government and legislation. The public sector provides services and facilities and infrastructure in accordance with legislation. It relates directly to the diverse range of government-related and funded bodies or structures that work in the public interest.⁵¹ The public is responsible for various support services and it provides the tourism industry with the different departments relating to, in this instance, the tourism industry.

The **Commonwealth of Nations**, (commonly known as the Commonwealth) dates back to the twentieth century with the decolonization of the British Empire through increased self-governance of its territories. The Commonwealth of Nations website defines the Commonwealth of Nations as:

The Commonwealth is a voluntary association of independent sovereign states... consulting and cooperating in the common interests of their peoples and in the promotion of international understanding and world peace.⁵²

However, the Commonwealth has no formal constitutional structure. It works from understood procedures, traditions and periodic statements of belief or commitment to action. It forms part of a system of intergovernmental consultation and its main source of direction is to enable member governments to collaborate and to influence world events. This sets up programmes which are carried out bilaterally or by the Commonwealth Secretariat, the association’s main executive agency. Nowadays the Commonwealth is an association of sovereign nations which support each other and work together towards international goals, with their common heritage

⁵⁰ A. Lockwood & S. Medelik (Eds.), *Tourism and Hospitality in the 21st Century*, pp. 4-5.

⁵¹ S.J. Page & J Connell, *Tourism a modern Synthesis 3rd edition*, pp. 646 & 107.

⁵² Nexus Strategic Partnerships Ltd., ‘Commonwealth of Nations Homepage’, <<http://www.commonwealth-of-nations.org>>, s.a. Accessed: 2011-11-13.

in language, culture, law, education and democratic traditions, among other things. Commonwealth countries are able to work together in an atmosphere of greater trust and understanding than generally prevails among nations. There are currently 53 member countries in the Commonwealth.⁵³

1.3. Chapter outline

The dissertation comprises of seven chapters. The first chapter has provided a short overview of the topic “Tourist guiding legislation: South Africa, Australia and Canada in a comparative perspective.” It looked at the general similarities within the three countries mentioned. It also defined a number of key concepts that will be used throughout the study.

Chapter 2, the literature overview and methodology, focuses on the primary and secondary sources relating to tourist guiding and tourist guiding legislation in an international context and within each of the three mentioned countries. This chapter also includes a brief outline of the methodology relating to how the study was approached. Furthermore, it looks at the different sources on tourist guiding legislation and how these were approached. Lastly, all the tourism acts relating to tourist guiding of each of the three countries will be discussed. These acts are also used in the comparative perspective of this study in chapter 4.

Chapter 3, the tourist guide, presents an overview of the different roles the tourist guide plays and how the tourist guide can be defined either as a mediator or an interpreter. Furthermore, this chapter will also discuss the importance of professionalisation of tourist guiding within the tourism industry.

Chapter 4 discusses how the tourism industry developed and when the relevant pieces of tourist guiding legislation came into use in the respective countries. It also looks at the role of government in the process of policy development and the implementation of tourist guiding legislation.

The fifth chapter places the countries in comparative perspective to see how similar or different their approach to tourist guiding legislation is. This chapter is heavily focussed on the WFTGA Jane Orde Guiding Document. It firstly looks at how tourist guides are being

⁵³ Nexus Strategic Partnerships Ltd., ‘Commonwealth of Nations Homepage’, <<http://www.commonwealth-of-nations.org>>, s.a. Accessed: 2011-11-13.

regulated within South Africa, Canada and Australia. Secondly, the importance of tourism policy development is also discussed. Thirdly, the legislation within each of the mentioned countries is looked into. Lastly, the respective importance of tourist guiding associations are considered.

The penultimate chapter compares the practical implications of tourist guides within South Africa, Canada and Australia. The first aspect analysed is tourist guiding training and certification within each country; the second aspect is tourist guiding licensing, and what each of the country's approach is towards these regulations; thirdly, the tourist guiding code of conduct provided by WFTGA and how each of the three countries' tourist guiding codes of conduct complies; lastly, this chapter will look at the concept of cross border tourism and how this is being implemented in South Africa, Canada and Australia.

The Conclusion provides remarks and reflects on the comparative analysis. It points to how the three countries differ with regards to tourist guiding legislation and in what aspects they are similar.

In short, this study is thus a comparative one, primarily concerned with tourist guiding legislation within South Africa, Canada and Australia.

CHAPTER 2 LITERATURE OVERVIEW AND METHODOLOGY

2.1. Literature review

Although tourist guiding has a history that dates back to classical times, it has only become a subject of serious academic concern over the past half century. This means that it is both an emerging but also a very vibrant domain as academics from a range of established disciplines approach it for analysis.⁵⁴ Given the ubiquity of tourist guiding in most areas of commercialised tourism, it is somewhat surprising that there has been so little attention from the academic tourism community with regards to tourist guiding legislation and regulation.⁵⁵ This includes scholars from economics, geography, history, law, sociology and others.⁵⁶ This lack of academic activity is of long standing. Given the relatively recent development of academic work on tourism, this chapter will consider some of the trends and focus areas in the existing literature as well as the views of some key individuals in the Australian and other academic domains along with information on webpages of a number of organisations. It will also briefly consider the sources and methodology used for this study.

According to John Tribe, the Co-chair of the UNWTO Education Council, Editor-in-Chief of *Annals of Tourism Research* and Chair of the Editorial Board of *Higher Education Academy Network Journal of Hospitality, Leisure Sport and Tourism Education*,⁵⁷ tourism research is still fragmented and can be only be identified as an interdisciplinary field of study. He argues that tourism gives itself weight in the academic world by describing itself as a “multi-discipline” underpinned in the scientific method. Furthermore, he describes it as an epistemology which promotes a systematic view of legitimate tourism knowledge and how it may flow from one discipline to another. Tribe prefers the term “indiscipline of tourism” because he says tourism studies cannot be put into a single discipline.⁵⁸ Other specialist in the

⁵⁴ N.B. Hoffman, ‘Locating’ or ‘dislocating’ heritage and cultural tourism within the humanities, *The Journal for Transdisciplinary Research in South Africa*, vol. 9(2), pp. 341-356.

⁵⁵ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper, No.3, 2001, pp. 4-5.

⁵⁶ J. Tribe, The indiscipline of tourism, *Annals of Tourism Research*, vol. 24 (3), pp. 639-640.

⁵⁷ *Ibid*, pp. 639-642.

⁵⁸ *Ibid*, pp. 639-640.

field claim that tourism research seems to have come about as a spin-off from other research disciplines.⁵⁹

The use of culture and heritage within the context of tourism and the consequences associated with such use constitutes one of the major subject areas in tourism research. Heritage and cultural tourism is also still a relatively new field of study.⁶⁰ However, there is evidence that the tourism industry is becoming more important to scholars as a distinct field of study especially within the domain of heritage and cultural tourism.⁶¹ It is evident that in the 1990s academics have become more interested in tourism as a research area. This is apparent in the increased investigation into socio-cultural and environmental issues, as well as tourism legislation which has evolved as a distinct new subject area. This is also often linked to other aspects concerning sustainability and economics.⁶²

In the mid-1990s Colin Michael Hall (Director of the Tourism Programme at the University of Canberra in Australia) addressed the balance between political importance and the fact that tourism has not received serious examination from a political point of view. In his book *Tourism and politics. Policy, power and place*,⁶³ he provides a thorough and penetrating analysis of the political dimensions of tourism. The book essentially deals with a systematic examination of the role of government, international relations, terrorism and political stability, dependency and development, urban tourism development and its political problems, and the relationship between tourism, politics and culture. *Tourism planning. Policies, processes and relationships*,⁶⁴ also written by Hall, provides a fresh and stimulating approach to a major area of tourism studies by examining key concepts of tourism planning and policy development. It emphasises the forces at work in the planning process by looking at a global, regional and local level of government. It also looks at tourism policy at national and international level.

⁵⁹ G. Dann, D. Nash and P. Phillip, Methodology in Tourism research, *Annals of Tourism Research*, vol.15, 1988, p.2.

⁶⁰ E., Davids, *A theoretical analysis of the development of tourist guiding in South Africa*. Masters dissertation, Cape Peninsula University of Technology, January 2008.

⁶¹ J. Tribe & H. Xiao, Editorial. Developments in Tourism Social Science, *Annals of Tourism Research*, vol. 38(1), p. 18.

⁶² Betty Weiler discussed this aspect in, A. Lockwood A. S. Medelik (eds.), *Tourism and Hospitality in the 21st Century*, pp. 84-85.

⁶³ C.M. Hall, *Tourism and politics. Policy, power and place*, 1994.

⁶⁴ C.M. Hall, *Tourism planning. Policies, processes and relationships*, 2000.

At the end of the 1990s *Tourism policy: the next millennium: advances in tourism applications series*⁶⁵ written by David Edgell appeared and fills a significant gap in the literature on tourism. It is a comprehensive examination written by an intellectual observer and informed practitioner on the subject of tourism policy. This book scopes out major national policy issues within the US perspective that shaped the development of international tourism policy. The appendices provided in this book set out a collection of tourism policy instruments and various international formal agreements relating to tourism. The other book co-authored by Edgell, *Tourism policy and planning: yesterday, today and tomorrow*, along with Maria Del Mastro Allen, Ginger Smith and Jason R. Swanson is a book reflecting on current trends in global tourism and bridges the gap between tourism policy and strategic planning while maintaining a firm focus on the practical application of tourism theory. This book also discusses some of the ideas Edgell has written on before and considers the future growth of tourism throughout the world questioning if there is a commitment toward good policy. It looks at governments, the private sector, and not-for-profit agencies and how they must be the leaders in a sustainable tourism policy that transcends the economic benefits and embraces environmental and cultural interests as well. It addresses key components for tourism policies and planning. He argues that this will lead this generation and the next toward a greater quality of life resulting from tourism growth. The aim of his book is to provide government policy-makers (at all levels), business leaders, not-for-profit executives, university professors, students, tourism industry managers, and the general public with an introduction and examination of “important policy and planning issues in tourism.”⁶⁶ It fully integrates tourism policy with strategic planning, by providing an international perspective on policy through case studies and analysis by examining the future of tourism policy development. It presents conceptual tools to equip students and professionals to make their own contribution to this domain.⁶⁷

Governments and Tourism,⁶⁸ written by David Jeffries (Former professor at Strathclyde, past Chairman of the Tourism Society and Consultant to the European Commission studies the general and specific tourism policies from central to local government, through case studies

⁶⁵ D.L. Edgell Sr., *Tourism Policy: The Next Millennium, Advances in tourism applications series*, vol.3, 1999.

⁶⁶ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, pp. 1-5.

⁶⁷ *Ibid.*

⁶⁸ D. Jeffries, *Governments and Tourism*, 2001.

from around the world, including the UK, USA and France. His book also evaluates the role and function of Official Tourism Administrations (OTAs). *Governments and Tourism* is essential reading for practitioners, who wish to know the following: How different countries and communities have coped with the opportunities and threats posed by tourism; How they plan to address future opportunities and threats posed by tourism; What lessons can be applied elsewhere; and what should be the complementary functions of the public and private sectors. *Governments and Tourism* is rated as an important and readable reference for everyone interested in tourism and government involvement.

Research done by John Lennon, Hugh Smith, Nancy Cockerell and Jill Trew entitled *Benchmarking national tourism organizations and agencies. Understanding best practices in advances in tourism research*,⁶⁹ examines comparative performance and best practice in national tourism organisations and administrations. Thus extensive research carried out in 2003 and 2004 compares qualitative and quantitative data in order to ascertain best performance by the analysis of eight national tourism organisations located on four continents, comprising: Australia, Canada, France, Ireland, The Netherlands, South Africa and Spain. Each country is examined and analysed in the following key areas: Travel and Tourism Performance; Organisation of Tourism; The National Tourism Organisation; structure; Role; Staffing and Offices; Resources and Funding; as well as providing case studies of good practice. It is a useful and practical guide showing governments involvement in tourism and brings insight from both academic and practitioner markets by looking at international case studies. It shows how each of the chosen countries regulates the tourism industry and how tourism legislation is implemented to regulate the tourism industry.

In *Tourism public policy and the strategic management of failure. Advances of tourism research series*,⁷⁰ William Revill Kerr⁷¹ writes about the development of tourism public policy and the strategic management of failure within the industry. The increasing competition, economic and environmental issues are combined in this book within the continued global

⁶⁹ J. Lennon, H. Smith, N. Cockerell & J. Trew, *Benchmarking National Tourism Organisations and Agencies. Advances in Tourism Research*, 2005.

⁷⁰ W.R, Kerr, *Tourism Public Policy, and Strategic Management Failure. Advances of Tourism Research Series*, 2003.

⁷¹ Operator of Malin Court, a unique Scottish Tourism product and General Manager of Glasgow Academic, does research into public policy.

perspective of terrorism, which necessitated governments redefining tourism policies. The concept and aspects relating to the tourism industry in the twenty-first century are discussed in the first part of the book, by also looking at the approaches and theories regarding tourism and public policies.

Peter Johnsons and Barry Thomas (are respectively reader and senior lecturer in Economics at the University of Durham. They both have published widely on the topic of economic aspects in tourism). Their edited book, *Perspectives on tourism policy* is a solid expansion of tourist activity throughout the world, particularly the movement of tourist between international borders.⁷² They look at the development of tourism as an industry and the important issues relating to policy which are concerned with both the local and the central government. This book examines key aspects of tourism policy in developed countries and demonstrates the role of research, both by providing data that inform policy choices and by evaluating policy choices already made. The book covers the nature of policy making and broad policy directions and is held to appeal to policy makers in central and local government.

A.J. Veal (a Professor in the School of Leisure, Sport and Tourism at the University of Technology in Sydney, also the former chair of the UK Leisure Studies Association and the past president of the Australian and New Zealand Association of Leisure Studies) wrote both *Leisure, sport and tourism, politics, policy and planning*,⁷³ and *Leisure and tourism policy and planning*.⁷⁴ These provide a comprehensive, multi-disciplinary introduction to public policy making and planning. They focus on leisure, sport and tourism sectors by examining theoretical issues within the public sector and governments which influence policy making by investigating political ideologies, leisure wants, needs, demands and benefits, human rights, the role of the state versus the market and models of organisational decision making. These books also provide a link between theory and practical analytical techniques for policy development, plan making and the evaluation of outcomes.

In *Stories of practice: tourism policy and planning*, Dianne Dredge writes about contemporary tourism planning and policy making practice at local and global levels. She illustrates this with a set of cohesive, theoretically-informed, international case studies constructed through

⁷² P.S., Johnsons & B. Thomas, *Perspectives on Tourism Policy*, 1992.

⁷³ A.J. Veal, *Leisure, sport and tourism, politics, policy and planning* 3rd edition, 2010.

⁷⁴ A.J. Veal, *Leisure and tourism policy and planning* 2nd edition, 2002.

“storytelling” the knowledge about how tourism planning and policy making takes place.⁷⁵ In another article, “Policy networks and the local organisation of tourism”, she focuses on how networks spanning public and private sectors are increasingly important in shaping tourism planning and development. She concludes that in many destinations, the formal and informal relationships between local government and industry have a considerable effect on the capacity of the destination to harness these public–private partnerships. She also analyses the roles of the public and private partnerships in the tourism industry.⁷⁶

Betty Weiler,⁷⁷ together with Brent D. Moyle, Char-Lee J. McLennan and Lisa Ruhanen have produced research which discusses the key concept of sustainability and how it is embedded at different levels of government policy and planning. The articles they wrote identify the concept of sustainability as it is articulated in 339 Australian tourism strategic planning and policy documents published between 2000 and 2011.⁷⁸ It also examines the extent to which the concept of sustainable tourism is evident in the discourse of Australian tourism strategic planning documents at the national, state, regional and local levels. It shows that there has been a shift in the conceptualisation of sustainability by evolving from nature-based, social and triple bottom line concepts towards a focus on climate change, responsibility, adaption and transformation.⁷⁹ Weiler also wrote an article entitled, “Tracking the concept of sustainability in Australian tourism policy and planning documents”, which contends that the current climate of intense turbulence within the tourism industry and how it must transform to a more sustainable development platform.⁸⁰

Together with Aise K. Kim, Weiler wrote an article “Tour guides as agents of sustainability: Rhetoric, reality and implications for research.” This is concerned with the roles of tourist

⁷⁵ J. Jenkins & D. Dredge (Ed.), *Stories of Practice: Tourism Policy and Planning. New Directions in Tourism Analysis*. 2011.

⁷⁶ D. Dredge, Policy networks and the local organisation of tourism, *Tourism Management*, vol. 27(2), pp. 269–280.

⁷⁷ A professor who leads a team of researchers at Monash University in Australia, specializing in visitor services and tourist experience.

⁷⁸ B. D. Moyle, C.J. McLennan, L. Ruhanen & B. Weiler, ‘Tracking the concept of sustainability in Australian tourism policy and planning documents’, *Journal of Sustainable Tourism*, vol.22 (7) 2014, pp. 1037-1051.

⁷⁹ *Ibid.*

⁸⁰ *Ibid.*

guides and how well-placed they are to foster sustainable tourism outcomes. They claim this can be achieved by communicating clearly and connecting tourists with the natural and cultural environment and its values as well as conveying, monitoring and role-modelling appropriate visitor behaviour in these environments. This is done by looking at the ever-increasing pressure for tourism to enhance its cultural and ecological sustainability. This article presents an examination of the theories and research that has been and can be used to harness tourist guides as agents of sustainability.⁸¹

Tourism economics and policy by Larry Dwyer, Peter Forsyth (both internationally reputed tourism economist who have made substantial contributions to the discipline with particular emphasis on tourism policy analysis) & Wayne Dwyer (formerly a senior lecturer in economics and finance at the University of Western Sydney who specialises in managerial economics), presented a comprehensive account of the economic concepts and applications in tourism contexts.⁸² The topics covered in this book, are those that mostly occupy the attention of tourism economists in the research of tourism policy internationally.

*Practicing responsible tourism. International case studies in tourism planning, policy and development*⁸³ by Lynn C. Harrison and Winston Husbands, fills a long-standing need for a case-based text in tourism courses. This book addresses 20 important themes in tourism at local, regional and national levels. Included among the themes explored are community tourism, travel and transportation, destination marketing and tourism impacts, with problems and exercises accompanying each case.

It must again be emphasised that there has been relatively little written about tourist guiding legislation per se. Most scholars focus their research on the study of the tourist guides' services, roles and functions.⁸⁴ According to various studies, tourist guides play different roles within their work, and they have to constantly switch between these roles to accommodate the

⁸¹ B. Weiler & A.K. Kim, 'Tour Guides as Agents of Sustainability: Rhetoric, Reality and Implications for Research', *Tourism Research Creation*, vol.36 (2), 2011, pp. 113-125.

⁸² P. Forsyth, L. Dwyer & W. Dwyer, *Tourism Economics and Policy*, 2010.

⁸³ W. Husbands & Harrison, *Practicing responsible tourism. International case studies in tourism planning, policy and development*, 1996.

⁸⁴ B. Rabić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

needs of the tourists in their tour group.⁸⁵ The different roles they play within the tourism industry range from leader, salesperson, teacher, information-giver and organizer.⁸⁶ This next section will consider some of the research on this specific topic.

In 1985 the *Annals of Tourism Research* devoted a special issue to the role of the tourist guide; this research was done under guest editorship of Erik Cohen.⁸⁷ It did however not result in an increase of research on the topic of tourist guiding and its changing role in a cultural context. Within the last decade more research has been produced in this domain.

Weiler wrote an article with Xin Yu entitled, “Dimensions of cultural mediation in guiding Chinese tour groups: Implications for interpretation.” In this research they examine the “cultural brokering” or “mediating role” of tourist guides and the contribution of interpretation to that role. The article draws on two separate mixed-methods studies to explore the views of tourism industry representatives, tourist guides and visitors with respect to cultural mediation. In addition, they try defining and outlining the dimensions of cultural mediation. In their research, respondents elaborated on what these dimensions entail and how the cultural mediation performed by tourist guides contributes to the visitor experience. This article presents some of the implications for tourist guides and in particular considers the more effective and widespread use of interpretation as a tool for mediating cultural understanding.⁸⁸

In 2014 Bratislava Rabić (Professor and Director of the Centre for Research and Development at the College of Tourism, Belgrade), wrote a book entitled, *The creative role of tourist guiding*.⁸⁹ The focus is on tourist guiding as a profession and the different roles of the tourist guide especially the role of mediation or cultural broker. He claims that tourist guides have the important task of mediating information to the tourist about social interaction with the local residents of the destination. He also looks at the creative side of the tourist guide and how they have to think on their feet and be able to adapt to every and all situations

⁸⁵ J. Tribe, The indiscipline of tourism, *Annals of Tourism Research* 24(3), pp. 639-640.

⁸⁶ This will be discussed in Chapter 3: The Tourist Guide.

⁸⁷ A professor of Sociology at The Hebrew University of Jerusalem, with research interest in sociology and anthropology of tourism and tourist arts; processes of change in folk arts.

⁸⁸ B. Weiler & X. Yu, 'Dimensions of cultural mediation in guiding Chinese tour groups: Implications for interpretation', *Tourism Recreation Research*, vol. 32, no. 3, 2007, pp. 13-22.

⁸⁹ B. Rabić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012.

in their daily working environment. He builds on *The tourist guide: The origins, structure and dynamics of a role*, written by Cohen who also looks at the origin of the modern tourist guide as a “pathfinder” and “mentor”. He argues that these two concepts are the antecedents, respectively, of the leadership and the mediatory spheres in the guide's role. He also looks at the dynamic development of the tourist guide as a professional.

On the local front there is a seminal book *Decent Work in the South African Tourism Industry: Evidence from Tourist Guides*,⁹⁰ written by Andries de Beer (senior lecturer on Tourism and Events Management at the Cape Peninsula University of Technology), Christian M. Rogerson (Professor School of Tourism and Hospitality, University of Johannesburg, Tourism and Development, Local Economic Development, Small Enterprise Development) & Jayne M. Rogerson (a lecturer at the Faculty of Science Department of Geography, Environmental Management and Energy Studies). Tourism scholarship is considered in general but attention is given to African tourism in particular. They conclude that there is a paucity of research relating to employment conditions in the tourism industry. They point to the vital role of tourism in national government strategies for employment creation and emphasise the point regarding the promotion of ‘decent work’. This study uses a mixed methods approach to examine work conditions of South African tourist guides. The findings reveal that the majority of tourist guides are in precarious or vulnerable forms of temporary short-term work, much of which is outside of existing labour regulations. Furthermore, the findings of this study challenge South African policy makers about the nature of decent work in tourism.

As the Australian tourism sector does not have much legal infrastructure in forms of tourist guiding legislation and accreditation, information was sought from the published literature and in some cases, the academics involved. The next section will consider both their publications and involvement in the Australian tourism domain. Thus as part of the field research various individuals in Queensland, Australia, were asked open ended questions. They all work in a professional capacity as experts in the tourism industry and gave insight into the functioning of the tourism industry and the roles of the tourist guides within the tourism industry in Australia. Some of their research is also discussed in this chapter and forms part of the secondary sources that were assessed for the contribution they have made to tourism legislation and tourist guiding. By looking at the research they are involved with currently

⁹⁰ A. De Beer, C.M. Rogerson & J.M. Rogerson, *Decent Work in the South African Tourism Industry: Evidence from Tourist Guides*, *Urban Forum*, vol. 25(1), March 2014.

and their past research and their fields of interest within the tourism industry it is clear that they have made a considerable contribution to the research and the development of tourism policy, tourist guiding mediation, the sustainability of the tourism industry and the different levels of government involvement. Furthermore, they also have a considerable amount of years of tourism industry experience working in both the public and private sector.

Prof. Betty Weiler⁹¹ holds a PhD from the University of Victoria (Canada) and has been researching and teaching tourism in Australian universities for the past twenty-four years. Weiler gave insight to some of her recent research which is focused on nature-based and heritage tourism, the tourist experience, visitor management, and the role of the tourist guide within the tourism industry, including the tourist guide's training, perceptions of quality and evaluation of outcomes. She pointed out that she has undertaken research with domestic and international visitors and on the subject of tourist guides and tourist guiding in North America, Latin America, Southeast Asia and several locations in Australia including national parks, zoos and heritage locations. More recently, Weiler's work has focused on the use of "persuasive communication" by guides and others to influence tourist behaviour and on visitor planning and management, particularly in protected areas, heritage and nature-based attractions. She is well known for her team-based approach to research and scholarship, and her collaborations with a range of industry partners particularly managers of protected areas and heritage and wildlife attractions.

Meredith Wray,⁹² is a leading regional tourism expert who has worked with the Australian government, tourism industry and the different communities across Australia that have an influence on sustainable tourism development and the marketing and management of the tourism industry. She is actively engaged in strategic and sustainable tourism research and the planning for regional tourism destinations. This involves understanding the type and scale of tourism products and experiences, facilitating effective stakeholder consultation and working closely with clients in the tourism industry. Wray has a keen interest in policy, communities, networks and issue cycles in the tourism destination system. She also focusses much of her research on adopting and implementing a trans-active approach to sustainable tourism

⁹¹ Prof. B., Weiler, Professor at School of Tourism & Hospitality Management Tweed, Lismore Office B5.25, 2013-28-03.

⁹² Dr. M., Wray, Senior Lecturer & Sustainable Tourism Researcher & Planner at Southern Cross University & Wray Sustainable Tourism, Beachside Campus Coolangatta, level 3 room A.3.31, 2013-28-03.

planning by translating theory into practice. Her aim is to develop strategic plans that help to position destinations so that they can compete, innovate and prosper over the long-term. It is also important to develop, manage and market tourism in a way that ensures and maintains a desirable quality of life for residents, as well as providing satisfying experiences for visitors. Her research includes a focus on tourism industries the public and the private sectors and looking at the how the tourism industry is being funded for development and implementation of legislation. Her conclusion was that the Australian tourism industry is getting its major boost for development from private business, rather than from government. The Australian government generally prefers not to get too involved in the tourism industry. She argues that this is because of the costs involved as well as the issue of responsibility between federal government structures and state government structures. She also mentions that there is the regional, state, territory and local tourist organisation working together to regulate the tourism industry.⁹³ Furthermore, she points out that the *Australia Tourism Act 2004* is similar to the South African *Tourism Act 72 of 1993*. She demonstrates how concepts derived from the policy community, the policy network and issues relating to management theories can be used to understand the roles, activities and interactions of government and the different stakeholders engaged in tourism policy development.⁹⁴

Dianne Dredge,⁹⁵ is a professor in the Department of Culture and Global Studies, Aalborg University, and is based at Copenhagen, Denmark. Upon meeting with her in Queensland, she discussed some of her research interests and her contribution to tourism policy development. She is a qualified planner with 20 years of experience in tourism and environmental planning in Australia and a number of international locations. She has an active research agenda exploring and publishing in areas including: tourism and higher education, tourism planning and policy; community capacity building; place-based tourism; land use planning and tourism organisations. Not only does she have over 20 years of experience in the tourism industry as environmental planning in Australia and a number of other international locations, but she also has worked in both the public and the private sector. This distinguishes her as a practical and forward-thinking tourism and environmental planner. She has contributed a great deal of

⁹³ Dr. M., Wray, Senior Lecturer & Sustainable Tourism Researcher & Planner at Southern Cross University & Wray Sustainable Tourism, Beachside Campus Coolangatta, level 3 room A.3.31, 2013-28-03.

⁹⁴ Dr. M., Wray, Senior Lecturer & Sustainable Tourism Researcher & Planner at Southern Cross University & Wray Sustainable Tourism, Beachside Campus Coolangatta, level 3 room A.3.31, 2013-28-03.

⁹⁵ Prof. D., Dredge, Aalborg University & Chair, Tourism Education Futures Initiative, Beachside Campus Coolangatta, level 3 room A.3.31, 2013-28-03.

her work to tourism planning and policy development and is on the editorial board for the *International Journal of Tourism Policy*. She also contributed to the Tourism Education Futures Initiative (TEFI), a network of tourism educators and students working passionately in the tourism industry by transforming the community.⁹⁶

Claudia Ollenburg⁹⁷ is an assistant professor at the Bond University Queensland. She also gives lectures on sustainable tourism planning and development, eco-certification, community-based ecotourism planning, tourism and climate change, tourism planning and policy development and how it relates to sustainable tourism planning and development. She has on many occasions worked with Professor Ralfe Buckley on the matter of certification and sustainability within the tourism industry in Australia. Some of their work include “Tacit knowledge transfer: Cross cultural adventure”⁹⁸ where they show how adventure tourism leads to a transfer of implicit knowledge between international visitors and the tourist guide or the host destination. They state that over the past half century, adventure tourism has grown from decentralised domestic outdoor recreation to a large international commercial industry and that many tours bring urban clients from developed nations to rural areas in developing nations, where there are icon sites for specific adventure activities. In the article; “Trends and lags in the use of ecotourism terminology in the scholarly and popular press”⁹⁹ they discuss the term “eco-tour” and how it was first coined half a century ago and how in recent years, a number of parallel or similar terms have also gained in popularity. These include product-based concepts such as nature-based tourism, management-based concepts such as sustainable tourism, and socially based concepts such as responsible tourism.

Ralf Buckley¹⁰⁰ is a professor of Ecotourism and Director of the International Centre for Ecotourism Research at Griffith University in Australia and Director of Nature and Adventure

⁹⁶ TEFI, ‘Tourism Education Futures Initiative homepage’, <<http://www.tourismeducationfutures.org/>>, s.a. Accessed: 27-12-2014.

⁹⁷ C., Ollenburg, Assistant professor at Bond University, Griffith University, Mt Gravatt Campus Messines Ridge Road, Mt Gravatt, Queensland 4111, 2013-01-04.

⁹⁸ R., Buckley & Ollenburg, C., 2013. Tacit knowledge transfer: Cross cultural adventure. *Annals of Tourism Research*, vol. 40, pp. 419-422.

⁹⁹ R., Buckley & Ollenburg, C., 2011. Trends and lags in the use of ecotourism terminology in the scholarly and popular press. *Tourism recreation research*, vol.36 (3), pp. 307-309.

¹⁰⁰ R., Buckley, International Chair in Ecotourism Research, Griffith University, Mt Gravatt Campus Messines Ridge Road, Mt Gravatt, Queensland 4111, 2013-01-04.

Tourism at the Cooperative Research Centre for Sustainable Tourism. He has worked in tourism since the 1980s and he is also an adventure tourist guide. His primary research interests are in environmental management in adventure tourism and the contribution of tourism to environmental conservation. Together with Claudia Ollenburg, they discuss the matter of tourist guides in Australia. They point out that tourist guiding is regulated to a certain extent, but because there are so many individuals (while on a working-holiday visa) working as volunteer tourist guides in Australia it is difficult to enforce legislation on tourist guides. They do indicate however that tourist guides from Australia do need some form of formal training to act as tourist guides. There is some level of certification for tourist guides, but the legislation aspect of tourism is regulated within the different companies the tourist guides work for or by the national parks. They also pointed out that there are different categories of tourist guiding in Australia according to the activity or the industry sectors in which the tourist guide operate. This is because tourist guides operate in different sector of the tourism industry. For example if they work in a National Park they will have different qualifications and guidelines to a tourist guide in the cultural heritage domain.

Steve Noakes¹⁰¹ is the Company Director of Eco-Lodges Indonesia and adjunct professor, in the Department of Tourism, Leisure, Hotel and Sport Management, Griffith University, Queensland, Australia. He has done extensive foundational work in regional, state, national and international tourism and travel sector in business, public private sector partnerships, research, education and training and non-government organisations. Upon meeting with Noakes he discussed the matter of State verses Federal government institutions in Australia and that it is sometimes difficult to decide which of the two is responsible for regulating the tourism industry. He says that the sole responsibility often lies with the tour operators and not with the tourist guides. The tourist guides have to operate within the guidelines set out by the tour operator. The tour guides however do need some form of eco-certification to operate within the National Parks and Great Barrier Reef vicinity. This is where the issues of World Heritage become important.

¹⁰¹ S., Noakes, Company Director of Eco lodges Indonesia and adjunct Professor, Griffith Business School, Department of Tourism, Griffith University, Mt Gravatt Campus Messines Ridge Road, Mt Gravatt, Queensland 4111, 2013-01-05.

Cath Whityman and her husband Rod Whityman are the owners of Kayak Noosa.¹⁰² They facilitate guided kayak adventure tours in Noosa, Queensland. They were also one of the first adventure businesses in Queensland to obtain Advanced Eco-Tourism Accreditation. In their business they try to implement regulations in the area based on the regional tourism policy and accreditation regulations for small tourism businesses. Rod is an adventure tourist guide while his wife Cath is not just a tourist guide but also a researcher at Central Queensland University - she has incorporated her studies into their business. Her current research focuses on sustainable tourism certification for small locally owned tourism ventures such as their own business within Biosphere Reserves in Australia. Together they have won quite a few awards with regards to tourism sustainability and the implementation of the regional tourism policy within the Noosa region. Cath's research investigates how certification may be used as a tool to promote sustainability of the tourism industry within the Noosa Biosphere Reserve and what the necessary regulations are with regards to the *Australian Tourism Act of 2004*. Both she and her husband are passionate advocates for the Noosa Biosphere Reserve, and their eco ethic is demonstrated as a way of life.¹⁰³ According to them tourist guides apply to work in the national parks with the eco-guiding-certification. This is not a necessity for all guides, but it does help them to get better tourist guiding jobs in the bigger tour operator companies. They indicated that guides will need different permits to operate in the different national parks and protected areas.¹⁰⁴

Juanita Bloomfield¹⁰⁵ is an Industry Development Manager at Tourism Noosa Ltd and local tour operator in Noosa. She is an expert on the tourism industry in Australia and is responsible for the northern region of the Sunshine Coast's membership program. She is also responsible for delivering an industry development strategy, by ensuring that all members are updated via regular communication, have an active networking program, participate in the Backpacker & Adventure Cluster Group (Backpack Noosa) if suited to their business and participate in the Noosa Visitor Information Centre online and holiday consultant booking facilities. She also helps to provide product development programs to assist members of Tourism Noosa and have

¹⁰² C., Whityman & Whityman, R., owners of Kayak Noosa, The Boathouse Marina, 194 Gympie Terrace, Noosaville, QLD 4566, 2013-04-06.

¹⁰³ KAYAK NOOSA, 'Kayak Noosa, Australia website', <<http://www.kayaknoosa.com/About/CompanyProfile.aspx>>, s.a. Accessed: 2015-05-26.

¹⁰⁴ G. Forrer-Arnold, 'Kayak duo keeping it green', *Noosa News*, 30-11-2010.

¹⁰⁵ J., Bloomfield, Noosa Waterfront, NWS. 2013-04-06.

a dedicated Industry Development & Sustainability Committee.¹⁰⁶ She acts as a tour operator to many businesses and provides them with the necessary information on certification of their businesses and how they need help regulate the tourism industry according to tourism legislation. She works together with the Discovery group, which sets out regulations and certification for tourist guides in Australia. She says that it is not necessary for tourist guides to be qualified; however it is helpful to have certain skills, such as first aid, public driver's license, knowledge on fauna and flora etc.¹⁰⁷

In the case of Canada, open ended question were also asked via email to Nadia Battani¹⁰⁸ and Raisa Shuster both working as tourist guides in Canada. They gave some insight into the regulating of tourist guides in Canada and what the roles of tourist guides in Canada's tourism industry are. For example, the Consumer Protection BC issues travel service licences based on the requirements of the *Business Practices and Consumer Protection Act* and the Travel Industry Regulation. This relates to the travel agent, travel wholesaler as well as travel services in Canada which includes the tourist guides. Nadia Battani pointed out that tourist guides in Canada need some basic skills and interest and that secondary diplomas and college diploma's in tourism and history may be beneficial and is part of the tourist guide's training and certification. Raisa Shuster said that there are only two cities in Canada which requires tourist guides to be licensed after having obtained a certificate: Quebec and Montreal.¹⁰⁹ However, Shuster does point out that there are certain Canadian standards to comply with and there are certain educational programs in place for tourist guide training.¹¹⁰

The websites of the World Federation of Tourist Guides Association (WFTGA) provides the Code of Guiding practices. This is compared with the code of guiding practices in South Africa, Canada and Australia. These are included in the tourism legislation provided by each country and can be found on the tourist guiding organisation websites for each of the countries: The 'code of guiding practices' for the WFTGA; the South Africa 'code of guiding practices';

¹⁰⁶ Tourism Noosa, 'Membership program 2013-2014',

<http://www.visitnoosa.com.au/industry/TN_Membership_Program_2013_2014_lres_website.pdf>, s.a.

Accessed: 2011-07-10.

¹⁰⁷ A. Rickard, 'Sharing love of Noosa', *Noosa News*, 02-01-2009.

¹⁰⁸ N. Battani, Tourist Guide at Montreal Tourist Guides-Tours, <<http://ca.linkedin.com/in/nadiabattani>>, 2013-06-13

¹⁰⁹ R. Schuster, Canadian Tourist Guide, <<http://ca.linkedin.com/in/raisa-schuster-1b357a66>>, 2013-06-13

¹¹⁰ *Ibid.*

Canada is divided into Montreal with a ‘code of guiding practices’; Toronto with a ‘code of guiding practises’ and British Columbia with its own ‘code of ethics’; and also the Australian ‘code of guiding practices.’ These will be discussed in detail in Chapter 6.

The National Tourist Guides Association of South Africa (NTGA of SA) is the national tourist guiding fraternity in South Africa.¹¹¹ Programmes are registered by CATHSSETA (The Culture Arts, Tourism, Hospitality and Sport Sector Education and Training Authority) for certification purposes and, together with Field Guides Association of Southern Africa¹¹² (FGASA), they provide educational opportunities to promote the conservation and rehabilitation of the cultural and natural heritage of Southern Africa. To this end, FGASA maintains and serves as a professional association of highly-trained nature guides, tour operators and hospitality institutions. There is also provincial tourist guiding training at the following associations: for example, Makiti which is the first training organisation in South Africa to offer online cultural courses for tourist guides. They provide time and cost effective courses for tourist guides, allowing them to progress at their own pace.¹¹³ There are also tourist guiding associations in each province like the Gauteng Guide Association; Cape Town Guides Association; Kwazulu-Natal Tourist Guides’ Association; Nelson Mandela Bay Tourist Guide Association; Off-Road Guides and Tour Operators of South Africa and Provincial Tour Guides Association of Battlefields Region.¹¹⁴

In Canada the International Guide Academy (IGA)¹¹⁵ has a website helping tourist guides who want to work in the country. The company was founded in 1973, and is the most renown training school of choice for “motivated and knowledgeable professional people, offering tourist guide certification programs.”¹¹⁶ The IGA offers training for certified world-class instructors. Giving tourist guides a choice of multiple international training locations including

¹¹¹ Gauteng Guides Association, ‘Tourist Guiding South Africa’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

¹¹² FGASA, ‘The Field Guides Association of Southern Africa’, <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

¹¹³ Makiti, ‘Makiti Guides & Tours Pty.’ <<http://www.makitigt.com/Index.asp>>, s.a. Accessed: 2014-07-10.

¹¹⁴ Gauteng Guides Association, ‘Tourist Guiding South Africa’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

¹¹⁵ IGA, ‘International Guide Academy website’, <<http://www.bepaidtotravel.com/>>, s.a. Accessed: 2014-07-10.

¹¹⁶ *Ibid.*

training while at sea.¹¹⁷ The Canadian Tour Guide Association (CTGA) of British Columbia¹¹⁸ is a volunteer run information/educational society for people who work, or who would like to work, in the sightseeing and tourism profession as local tourist guides, driver/guides, on-site guides, meet and greeters, and long distance (tour directors) guides. The CTGA of British Columbia website provides tourist guides with the necessary information on becoming a licensed and registered tourist guide in British Columbia. The website of CTGA of Toronto¹¹⁹ serves several purposes. It is designed to inform the public, about the organization, its purposes and accomplishments. It also provides important information to prospective members and everyone who works in Toronto as a tourist guide. There is also the Association Professionnelle des Guides Touristique, Chapitre de Montréal (APGT-Montréal)¹²⁰ which functions on similar principles as CTGA of British Columbia and CTGA of Toronto. The only difference is that tourist guiding in Montreal is licensed and tourist guides have to be registered.¹²¹

The Professional Tour Guide Association of Australia (PTGAA)¹²² is based in Melbourne. It was established in 1991 as a professional association representing tourist guides and tour managers. The Association is a foundation member of Guiding Organisations Australia Inc. (GOA)¹²³ which is the national industry body for all Australian tourist guides. The PTGAA also have a partner relationship with Tourism Victoria and other tourism industry stakeholders and provides the tourism industry with professionally trained, reliable and skilled staffing choices such as tourist guides and tour operators. GOA is recognised by the Australian Government as the national organisation representing the interests of Australian tourist guides. The Australian Government supported GOA to develop and implement the national tourist guides of Australia accreditation program. GOA is committed to establishing and maintaining required standards, encouraging training, promoting best practice and eliminating unethical

¹¹⁷ *Ibid.*

¹¹⁸ CTGA OF BRITISH COLUMBIA, 'Canadian Tour Guide Association of British Columbia website', <<http://www.ctgaofbc.com/contact.html>>, s.a. Accessed: 2014-07-10.

¹¹⁹ CTGA OF TORONTO, 'Canadian Tour Guide Association of Toronto website', <http://www.ctgaoftoronto.org/get_me_a_guide.html>, s.a. Accessed: 2014-07-10.

¹²⁰ APTG-Montréal, "Association Professionnelle des guides Touristique Chapitre de Montréal website", <<http://www.apgt.ca/en/>>, s.a. Accessed: 2014-07-10.

¹²¹ *Ibid.*

¹²² PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

¹²³ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

guiding practices. The Institute of Australian Tour Guides (IATG)¹²⁴ is a national professional industry association that represents Australian tour guides. IATG comprises of qualified, professional members that are all experienced Australian tourist guides and have achieved the highest standards of competence and integrity.

2.2. Methodology

This study is essentially a comparative study. Heritage and cultural tourism is a branch of tourism oriented towards the cultural heritage of the country and is inherent in the social sciences where comparative research plays a significant role in the development of the discipline.¹²⁵ For the purpose of this study, the comparative method will provide the key to understanding, explaining and interpreting diverse historical outcomes and processes in these three destinations.¹²⁶ The comparative method will generate a richer sense of context and prevent a parochial or isolated study.¹²⁷ There are several difficulties involved in the application of sociological techniques and methods of data collection. This will be addressed by considering texts in historical context.¹²⁸ Comparative studies often compare the history of ideas, social groups, policies and two or more countries.¹²⁹ However, in the process of applying comparative frameworks and general theories, it is important not to lose sight of the particular events relating to the research.¹³⁰

The study highlights similarities and differences and ultimately draws conclusions as to the success and failure within the three systems adopted in the three respective countries. It is thus an interregional study between South Africa, Canada and Australia and provide an international comparative context. South Africa, Canada and Australia are placed in a “multiple-conjunctural comparison”¹³¹ by simultaneously looking at the pieces of different

¹²⁴ IATG, ‘Institute of Australian Tour Guides’, <<http://www.iatg.com.au/>>, s.a. Accessed: 2014-07-10.

¹²⁵ A. Budd (ed.), *The modern historiography reader: Western sources*, p. 509.

¹²⁶ Anonymous [B], *The Sydney Morning Herald*, NZ, Australia “should consider merger”, <<http://www.smh.com.au/news/world/nz-australia-should-consider-merger/2006/12/04/1165080875361.html>>, December 2006, Accessed: 2012-08-16.

¹²⁷ P. Lambert & P. Schofield (eds.), *Making History: An introduction to the history and practices of a discipline*, p. 145.

¹²⁸ *Ibid.*

¹²⁹ A. Budd (ed.), *The modern historiography reader: Western sources*, p. 509.

¹³⁰ P. Lambert & P. Schofield (eds.), *Making History: An introduction to the history and practices of a discipline*, pp. 145-146.

¹³¹ P. Lor, *International and Comparative Librarianship*, Chapter 4 Draft, pp. 9-15.

tourist guiding legislation implemented and how they were developed in each of the mentioned countries. It also considers the significance for current institutional arrangements, cross-societal similarities and differences of tourist guiding legislation. It is an established approach within the social sciences to carry out cross-societal studies, so as to compare similar or different scenarios (or sets of countries), in order to obtain a global positioning of one's own country and its development.¹³²

A model that was devised by Jane Orde (Second President of WFTGA between 1993-1999 and an acclaimed Scottish tourist guide) has elements which have been applied to this study. This model provides information which has been compiled into a table and is a useful analytical tool which can be used for comparative work.¹³³ The WFTGA published this document by Jane Orde in 2011, which gives an overview of tourist guiding as a profession. It includes information on the different tourist guides associations, membership, qualifications required, fees and legal issues worldwide. Orde analysed 61 countries and their tourist guiding associations and structures and compared them according to different themes. Although her analytical study is broad and based on information gathered from questionnaires, surveys, area reports, websites and other sources, the criteria have been adapted for the purposes of this study.¹³⁴

The research involved a range of sources including legislation, specialist articles and books as well as interviews. The following tourism acts are key pieces of primary sources of government legislative documentation from the three countries discussed in this study: The *Tourism Act 72 of 1993*¹³⁵ that was repealed in the 2014 and it was replaced with the *Tourism draft Bill 2011* which is now known as the new *Tourism Act 3 of 2014*.¹³⁶ This will be the main *Act* used in this study from the South African government, as the key document that relates directly to tourist guiding. With regards to Australian government documentation, the

¹³² P. Lor, *International and Comparative Librarianship*, Chapter 4 Draft, pp. 9-15.

¹³³ World Federation of Tourist Guide Associations, 'What is a Tourist Guide', <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15-10-2012.

¹³⁴ ORDE, J. 'Analytical Table Adapted from Jane Orde's Guiding Document', <<http://www.wftga.org/sites/default/files/imceuploads/documents/Jane%20Orde%20Document%202011.pdf>>, s.a. Accessed: 23-05-2012.

¹³⁵ No. 1112 Government Gazette vol. 143893, *Tourism Act 72 of 1993*.

¹³⁶ No.3538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

Tourism Services Act of 2003 also known as *Tourism Services Bill of 2003*¹³⁷ or the *Queensland Tourism Services Regulation of 2003*¹³⁸ will be two of the main government documents relating to tourist guiding legislation in Australia. The *Tourism Services Act of 2003* is used as a guideline throughout most of Australia and it is not just used in Queensland. The *Tourism Services Act of 2003* and the *Tourism Services Bill of 2003* cover similar aspects with regards to the tourism industry especially with regards to tourist guides. In Canada the *Travel and Tourism Act*,¹³⁹ RSNWT (Nu) 1988, c T-7 and the *Outfitter and Guide Regulations, 1988*¹⁴⁰ and the *Business Practices and Consumer Protection Act*¹⁴¹ (*Travel Industry Regulations*) are the three important documents implemented by the Canadian government to regulate tourist guides in Canada.¹⁴² The *By-Law G-2 Concerning Tourist Guides*, clearly states that only a qualified licensed guide may conduct a tour in Montréal and the permit must be renewed annually.¹⁴³

Several interviews were done with individuals in their professional capacity. There was no fixed questionnaire, rather open-ended questions. The questions were directed towards the individual tourist guides' experience of tourist guiding legislation. It should be noted that there was some difficulty in obtaining detailed information about all the various pieces of legislation relating to tourist guiding for Canada and Australia. As is evident in the literature overview, was partially overcome by emailing and communicating with relevant academics and tourist guides working in the tourism industry in Canada and by a visit to Queensland, Australia. Besides visiting academics in the field of tourism studies at Bond University, Southern Cross University and the Central Queensland University in Queensland, interviews were also conducted with individuals in the tourism industry in their professional capacity

¹³⁷ Queensland Government, *Tourism Services Act 61 of 2003*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

¹³⁸ Queensland Government, *Tourism Services Act 61 of 2003*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

¹³⁹ Northwest Territories Statutes, R.S.N.W.T. 1988, c.127 (Supp.), January 15, 1992, *Travel and Tourism Act*.

¹⁴⁰ *Ibid.*

¹⁴¹ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

¹⁴² The tourism acts mentioned above will be analysed in the comparative section in Chapter 6 Regulating the tourist guides. This will provide an overview of the different tourism acts implemented by each country to regulate the tourism industry. This analysis of the different acts is depicted in annexure A, B and C.

¹⁴³ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

through the use of open ended questions. (See attached Letter of Introduction and Letter of Informed consent: Annexure E).

It is widely accepted that tourist guides contribute not only to tourist satisfaction, but also to destination image, marketing and branding, that is why it is so important to look at what South Africa, Australia and Canada are doing in terms of policy and legislation to regulate the tourist guides' environment.¹⁴⁴ It is clear from the literature that currently most scholars focus on the economic actions and control management of tourist guides.¹⁴⁵ As interpretation is one of the major responsibilities of tourist guides, it is essential to improve their communication and commentary skills to enrich the tourists' experience. As mentioned Chapter 3 will show how these roles and responsibilities are implemented. It will also consider what has been done to improve these important guiding responsibilities and various skills. The tourist guiding certification systems of the three countries mentioned have also been considered, to see what is required to become a tourist guide with each of the three countries. Furthermore, various pieces of legislation and guiding codes of conducts implemented by the respective countries has been researched, in order to give structure to the industry development and to help with the implementation of tourist guiding standards within each of the countries.

The literature on tourism studies is thus a relatively recent development. Generally a number of key focus concerns are highlighted regarding the tourist guide. Besides defining the role and place of the tourist guide, aspects such as the practical implications with regards to the working environment, the training and certification of tourist guides, the code of ethics or guiding practices of tourist guides, the importance of professionalization of tourist guides have been considered.

This dissertation stands as a comparison between the different sets of government documentation relating to tourist guiding legislation within South Africa, Canada and Australia. It will establish a timeline of the history and development of tourist guiding legislation in the respective regions and appraises them comparatively.

¹⁴⁴ T. Baum, N. Hearn & F. Devine, Place, people and interpretation: issues of migrant labour and tourism imagery in Ireland, *Tourism Recreation Research*, vol. 32 (3), p. 39-48.

¹⁴⁵ S. Liang, An economic analysis of tourist guides' rake-off, *Journal of Guilin Institute of tourism* 5, pp. 592-598.

CHAPTER 3 THE TOURIST GUIDE

3.1. Defining the role of the tourist guide

Although the Oxford dictionary defines a tourist guide simply as, “a person who shows others the way,”¹⁴⁶ the role of the tourist guide can be considered in the more contemporary context where the tourist guide is a pathfinder or mentor. Research has found the role of a tourist guide is much broader than a basic definition. This is clear in the definition provided by WFTGA, as already indicated in chapter 1.¹⁴⁷

The WFTGA definition of the tourist guide highlights at the role of interpreter of both culture and heritage of the country in which the tourist guide operates. It also indicates that the tourist guide is someone who needs to be educated about the country in which he operates as well as to continuously update his general knowledge about this country. The tourist guide is the person who will be responsible for conducting guided tours at a tourist destination:

Guided tours is a tour of a specified length covering cited elements of the cultural or natural heritage of a city and/or an area, conducted by a tourist guide¹⁴⁸

As a tourist guide you have the responsibility of managing a whole tour group of people, taking them from one site to the next. This is because people work for years to save up their hard earned money so they can spend it all on that one "trip of a lifetime" with this individual as their tour guide.¹⁴⁹ The tourist guide can be responsible for either making or breaking the tourist experience that is why the role of interpretation is so important. It is as the WFTGA puts it: a case of “No pressure, just don't mess it up!”¹⁵⁰

¹⁴⁶ Oxford University Press, Oxford English Dictionary online, <<http://www.oed.com/view/Entry/37261?redirectedFrom=commonwealth#eid>>, s.a. Accessed: 2011-11-23.

¹⁴⁷ See p. 7 for the definition of the tourist guide.

¹⁴⁸ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’, <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15 October 2012.

¹⁴⁹ *Ibid.*

¹⁵⁰ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

There are many skills one needs to have before deciding to become a tourist guide.¹⁵¹ Tourist guides need to have good people skills because they will be spending practically every hour of every day with their guests and not all of them will be amenable. They also have to be able to logistically manage all aspects and planning of the trip. Even if they are not responsible for setting up those details, they will be responsible for keeping on top of every need of every tourist in the group once they are on the road.¹⁵² Tourist guides need to be well organised individuals and stay on schedule, they do not want to get mixed up on where they are supposed to be going, or what they are doing. It is also important to remain calm under pressure, anything could happen on a tour, and everyone will look to the tourist guide when things go wrong.¹⁵³ Tourist guides need to be quick learners: From “Where’s the bathroom?” to “When was that built?” and they will need to have answers at hand. It is important that tourist guides are good public speakers- speaking to their group is more than half the job. Tourist guides will have to be energetic- as they will be working almost every waking hour, often for weeks at a time and they thus need to be in top form at all times.¹⁵⁴

It will be expected of tourist guides to keep up with their global roles and as such front-runners of “glocalisation”.¹⁵⁵ Tourist guides will have to be able to fully participate in global popular culture and use new technologies in their private lives, while guiding skilfully and by representing the glocalised life around them as a distinctive “local”, adapted to the tastes of different groups of international tourists. The notion of glocalisation helps one to grasp the many interconnections between the global and the local. To a considerable extent, glocalisation involves the construction of increasingly differentiated and distinct consumers, or the creation of new consumer traditions.¹⁵⁶ This goes hand in hand with global marketing strategies which rely on the philosophy that “diversity sells”. The marketing of cultural and heritage tourism, which promotes the experience of so-called “authentic traditional cultures”,

¹⁵¹ Travel droppings, How to become a tour guide. Online:

<<http://www.traveldroppings.com/articles/work/tour-guide-jobs.php>>, s.a. Accessed: 20-11-2014.

¹⁵² World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

¹⁵³ Travel droppings, How to become a tour guide. Online:

<<http://www.traveldroppings.com/articles/work/tour-guide-jobs.php>>, s.a. Accessed: 20-11-2014.

¹⁵⁴ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

¹⁵⁵ N.B. Salazar, Tourism and glocalization “Local” Tour Guiding, *Annals of Tourism Research*, vol.32 (3), 2005, p. 628.

¹⁵⁶ *Ibid.*

vividly illustrates this. The daily practices of tourist guides and the way they (re)present and actively (re)construct local culture for a diversified global audience, reflects on how globalization and localization are intimately intertwined and how the former—through tourism and other channels—is transforming culture.¹⁵⁷ This role goes hand in hand with the tourist guide’s role as interpreter and mediator.

The following section will look at the different roles of the tourist guide, especially the role of interpreter or mediator, by examining the tourist guiding four-quadrant model developed by Erik Cohen¹⁵⁸ in 1985.

The literature relating to the roles and responsibilities of the tourist guide has identified a few areas of interest relevant to the emergence of the occupation of the tourist guide. Previously the focus of the role of the tourist guide was on providing service to the tourist, more recently this has shifted to the role of the tourist guides as interpreter or mediator.¹⁵⁹ It is generally accepted that interpretation plays a significant role in tourism. It can help to enrich visitors’ experiences and their cultural and environmental knowledge so that empathy towards conservation, heritage and culture can develop. This is why tourist guides play vital roles in the sector, as well as in its more specific forms such as cultural and adventure tourism. Their services are utilized at destinations, triggering the need for studies relating to the performance of tourist guides.¹⁶⁰

Given the universal roles of the tourist guide in most areas of the tourism industry, it is somewhat surprising that it has received so little attention from the academic tourism community. In the relatively few pieces written on tourist guides it is again surprising that little has been written on the role of the tourist guide in transferring cultural understanding.¹⁶¹ Basically it is expected of the communicator (in this case the tourist guide) to be effective

¹⁵⁷ N.B. Salazar, Tourism and glocalization “Local” Tour Guiding, *Annals of Tourism Research*, vol.32 (3), 2005, pp. 644-646.

¹⁵⁸ Professor of Sociology at The Hebrew University of Jerusalem, with research interest in sociology and anthropology of tourism and tourist arts; processes of change in folk arts.

¹⁵⁹ E. Cohen, The tourist: The origins, structure and dynamics of a role, *Annals of Tourism Research*, vol. 12 (1), pp. 9-12.

¹⁶⁰ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, p. 1.

¹⁶¹ *Ibid.*

during interpretation. The tourist guide should organise and convey information in ways that capture and maintain the audience's attention,¹⁶² while at the same time entertaining and inspiring them. It is precisely the communicative manner in which guides convey the significance of cultural and natural resources that is crucial and that makes all the difference to the tourists concerned,¹⁶³ as it highlights the critical elements of the guides' knowledge and their effective application of interpretive delivery techniques.¹⁶⁴

Based on a dramaturgical metaphor, the term "role" refers to a collection of culturally defined attributes and expectations associated with social positions that guide and direct a person's behaviour in a given setting or working environment such as the tourism industry. While a role (or social persona) is the typical behaviour and attitude of a person in a particular position, one can usually expect some discrepancy between the typical and the actual behaviour. When it comes to tourist guiding the performance or roles of the tourist guide (within the working environment) becomes clear in the encounter between the tourist and the destination. In the light of this, the role concept is related to those approaches that conceptualize tourism as a performance, a mutually negotiated relationship between producers and consumers.¹⁶⁵ However, Salazar argues that, "the roles of tourist and interpreter are not fixed... Subjectivities and motives change, even within one individual, even during the course of a single visit."¹⁶⁶

In the legislation and regulations of South Africa, like Canada and Australia, the focus of the role of the tourist guide is to be the interpreter and disseminator of information about the way of life within the respective country (in other words the culture) to international and national tourists.¹⁶⁷ As tourism has become a mass phenomenon, opportunities for discourse with significant people have lessened somewhat for the great majority of tourists. The discourse of

¹⁶² B. Weaver (ed.), Tour Guides and Interpretation, *The Encyclopaedia of Ecotourism*, 2001, pp. 3-4.

¹⁶³ X. Yu, B. Weiler & S. Ham, Cultural Mediation in guided tours experiences: a case study of Australian guides of Chinese tour groups, Working Paper 44/04, September 2004, p. 4.

¹⁶⁰*Ibid.*

¹⁶⁵ N.B. Salazar, "Enough stories!" Asian tourism redefining the roles of Asian tour guides, *Civilisations Revenue internationale d'anthropologie et de science humaines*, vol.57, 2008, p. 207.

¹⁶⁶ *Ibid.*

¹⁶⁷ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, p. 1.

discovery of information now is mainly between the tourist guide and the tourist and if done well, results in transference of a cultural understanding between tourist guide and tourist.¹⁶⁸

The tourism sector is important because it links easily with other sectors of the economy such as agriculture, hospitality, transport and entertainment. The fact that the tourist product is consumed at the destination offers local communities opportunities to become involved in the industry in their own areas. This area of the tourism sector is where the tourist guides' role as interpreter or mediator is so important. The contemporary mentoring role can be considered to be one of transmission of information and the interpretation of the information. The mentor edifies his or her party as in social mediation and cultural brokerage. Tourist guides can add value to the tourist product and enrich the experience of tourists if space for their involvement is created.¹⁶⁹

The World Federation of Tourist Guide Associations defines a tourist guide as,

A person who guides visitors in the language of their choice and interprets the cultural and natural heritage of an area, which person normally possesses an area-specific qualification usually issued and/or recognized by the appropriate authority.¹⁷⁰

Whereas the term "tourist guide" points squarely to the service relation (a tourism worker serving clients), the notion "tour guide" shifts this narrow focus to the dynamics of the encounter between guide, tourists, and locals while touring.¹⁷¹

Table 1 below depicts Erik Cohen's (1985) four-quadrant model. This model developed by Cohen is the most often cited model and is used as a basis for examining the tourist guides'

¹⁶⁸ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, p. 1.

¹⁶⁹ B. Rabotić, Professional tourist guiding: The importance of interpretation for tourist experience, *20th Biennial International Congress: New Trends in Tourism and Hotel Management, Opatija (Croatia)*, 06–08-05-2010, p. 1.

¹⁷⁰ World Federation of Tourist Guide Associations, 'What is a Tourist Guide' <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

¹⁷¹ N.B. Salazar, "Enough stories!" Asian tourism redefining the roles of Asian tour guides, *Civilisations Revenue internationale d'anthropologie et de science humaines*, vol.57, 2008, p. 207

roles. This model identifies the four major tour guide functions: instrumental, social, interactionary and communicative. Cohen traces the origins of modern guiding roles back to two types that the ancient Greeks distinguished: the pathfinder and the mentor, to tourists who want to discover more about the place they are visiting, and provide a sense of security in a strange environment. The first “provides privileged access to an otherwise non-public territory,” while the second is concerned with “edifying his [her] party as in social mediation and culture brokerage. The two principal concepts that characterize contemporary guiding, leading and mediating, combine and expand elements from the earlier roles of pathfinder and mentor.¹⁷² According to Cohen, guiding is evolving and shifting from the logistical aspect to the facilitation of experience, from the pathfinder to the mentor role, away from leadership toward mediating and away from the outer toward the inner-directed sphere, with the communicative component becoming the centre of the professional role.¹⁷³

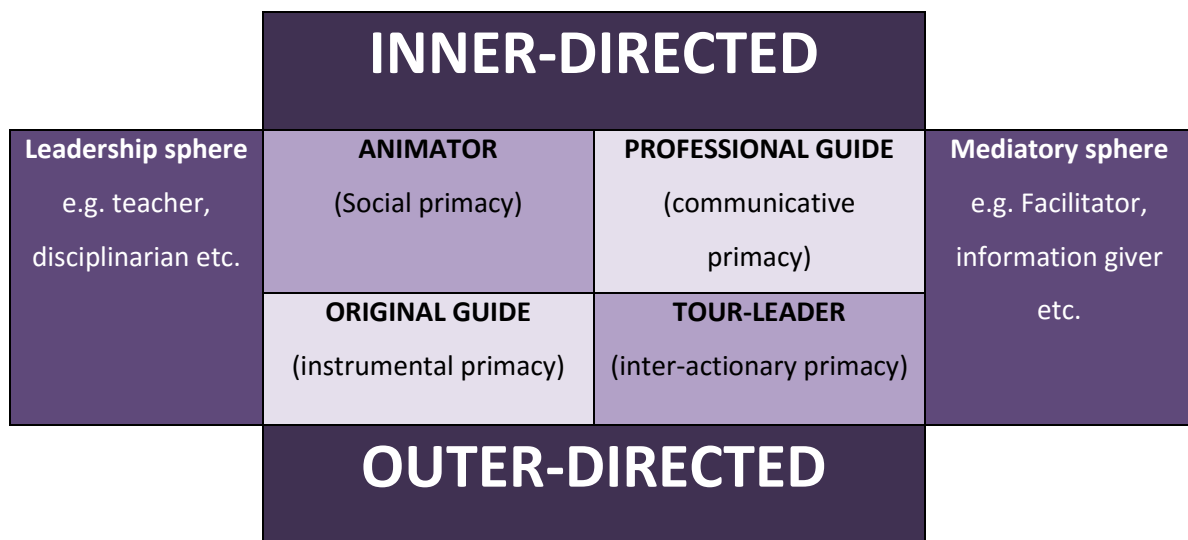


Table 1: Cohen’s four-quadrant model of tourist guides’ roles

From: E. Cohen, The tourist: The origins, structure and dynamics of a role, *Annals of Tourism Research*, 12(1), p.10.

In today's international tourism, it may happen that, without the role of mediators, existing destination resources remain either unavailable to visitors or not properly understood and

¹⁷² E. Cohen, The tourist: The origins, structure and dynamics of a role, *Annals of Tourism Research*, vol. 12 (1), pp. 9-12.

¹⁷³ *Ibid.*

valued by them. Interpretation of the local heritage, living culture, values and cultural identity in general is the key component of the contemporary guide's role.¹⁷⁴

In academic literature, one can find different definitions of “interpretation”. Thus, for example, in the *Encyclopedia of Tourism* it has been stated that it is “any activity which seeks to explain to people the significance of an object, a culture or a place.”¹⁷⁵

The American National Association for Interpretation (NAI) states:

Interpretation is a mission-based communication process that forges emotional and intellectual connections between the interests of the audience and the meanings inherent in the resource.¹⁷⁶

For the tourist guide, interpretation is a means of tourism management aimed at explaining to tourists the importance of various natural and cultural attractions at a destination so as to stimulate understanding, positive impression and admiration. In doing this they raise a consciousness on responsible behavior which is a function of local heritage preservation. Thus, interpretation serves to enhance enjoyment of tourists by transferring to them symbolic meanings and facilitating changes in their attitudes and behavior (in other words the culture of the destination): this is why it represents the key for establishing intellectual and emotional connections between the visitor and particular destination.¹⁷⁷

Tourist guides are among the most engaged staff within the tourism industry and their communication with tourists can both increase a tour group’s satisfaction and sell future tours to their country.¹⁷⁸ Tourist guides are regarded as front-line professionals who, unlike any

¹⁷⁴ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

¹⁷⁵ B. Rabotić, Professional tourist guiding: The importance of interpretation for tourist experience, *20th Biennial International Congress: New Trends in Tourism and Hotel Management, Opatija (Croatia)*, 06–08-05-2010, pp. 4-5.

¹⁷⁶ AP, J. & K.F. WONG, Case study on tour guiding: professionalism, issues and problems. *Tourism Management*.22, 2001.

¹⁷⁷ B. Rabotić, Professional tourist guiding: The importance of interpretation for tourist experience, *20th Biennial International Congress: New Trends in Tourism and Hotel Management, Opatija (Croatia)*, 06–08-05-2010, pp. 4-5.

¹⁷⁸ H. Kong, C. Cheng & T. Baum, Are Tour Guides in China Ready for the booming Tourism Industry? *Journal of China Tourism Research*, vol. 5 (1), 2009, pp. 1-4.

other tourism players, establish a close, intense and influencing contact with visitors while at the same time protecting interests of sustainable tourism. They are often called “tourism ambassadors” of their destinations. Nevertheless, their profession is commonly perceived as an ancillary, repetitive and mass tourism activity, although it can be a very effective tool in the construction of tourist experiences.¹⁷⁹ Each sector of the tourism industry plays a slightly different role within the industry, and has varying impacts on the sustainability of the industry and its environmental, socio-cultural and economic impacts. That is why it is also important for tourist guides to recognize what their role is as intermediaries between the tourist and the destinations. They are in the position to build on knowledge and influence the behaviour and practices on both sides of the equation.¹⁸⁰

That being said, it is clear that tourist guides have to lead by example and in this way influence the behaviours, perceptions and attitudes of the tourist in their group. By upholding certain standards within your own operation – like for example ensuring there is proper disposal for recyclables throughout the tour, treating the environment with respect by sticking to marked trails and paths, and treating locals with respect and tolerance – tourist guides can act as proper role models for their tourists, who may feel uncomfortable in a new setting and not know how to act or behave appropriately.¹⁸¹

In today's international tourism, culture is an important asset for many destinations and a means of their national identity promotion. Without the role of mediators, however, it may happen that existing resources remain either unavailable to visitors or are not properly understood and valued by them. Intercultural communication and, particularly, interpretation of local cultural heritage, living culture, values and cultural identity in general are key components of the contemporary tourist guide's role. Tourist guides are front-line professionals who, like any other tourism actors establish a close, intense and influencing contact with visitors at the same time protecting interests of sustainable cultural tourism. Besides the above mentioned tourist guides are “tourism ambassadors” and also “spin doctors” of their destinations. Nevertheless, their profession is commonly perceived as a repetitive,

¹⁷⁹ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

¹⁸⁰ Sustainable Travel International, *NTA Tour Operators Guide to Sustainable Tourism*, 2002-2010, pp. 6-10.

¹⁸¹ *Ibid.*

uninspiring and mass tourism activity, although it can be a creative and effective tool in the construction of tourist experiences.¹⁸²

Tourist guides have the responsibility to lead tourists, individually or in groups, on tours or excursions to the different attractions within a destination. In this role they are also responsible for ensuring the safety of the group and ensuring that tour groups remain together. A true sign of a professional tourist guide is the aspect to ensure that the tourists are given the best possible visit that is good, solid and of a high standard.¹⁸³

In terms of heritage and cultural tourism, tourist guides also have a responsibility toward the sustainability of the heritage and cultural product as in many cases these are fragile and sensitive.¹⁸⁴ The tourist guide has the important role of helping to manage and control tourism and tourists in their environment. By doing this they can regulate the environment and make tourists aware of the destination and the restrictions at specific sites. This will provide a sense of place and better understanding of the local communities.¹⁸⁵ Much of a tourist guide's time will be spent on understanding and being immersed in the system of tourism. The success of their interactions will depend a lot on how they understand the culture, heritage and environment in which they have to operate. Tourist guides will continuously need to interact with persons from various countries, cultures and backgrounds.¹⁸⁶

Translation is one of the most important fields in which mediation is present, and its importance as a mediation tool between languages and cultures in the 21st century cannot be overestimated. Translators must then fulfil two different requirements regarding this mediation aspect: on the one hand they must be linguistic mediators between languages; and on the other, cultural mediators between different cultures, which requires both a wide

¹⁸² B. Rabotić, The creative role of tourist guiding, College of Tourism, Serbiarabotic@EUnet.rs, 2009, p. 1.

¹⁸³ World Federation of Tourist Guide Associations, 'What is a Tourist Guide' <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

¹⁸⁴ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 4.

¹⁸⁵ W. Jamieson (Ed.), *Community Destination Management in Developing Economics*, pp. 85-86.

¹⁸⁶ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 7.

linguistic knowledge as well as a wide cultural knowledge. In this context the tourist guide can to all intents and purposes be seen as a mediator.¹⁸⁷

Author and theoretical perspective	Mediating role	Underlying theme
Schmidt (1979) Sociological	Buffer between tourist - and social environment, influencing what to see, how to get there, how to deal with locals, removing interaction difficulties	Mediating access and encounters
Hollaway (1981) Sociological	Information giver, provision of access, catalyst of group interaction, mediating tourist-host interaction.	Mediating information and encounters
Pearce (1982b, 1984) social-psychological	Shape tourist-local contact, acting as catalyst for group solidarity, influence tourists' perception on host community	Mediating information and encounters
Cohen (1985) Sociological	Interpretation (transiate the unfamiliar), selection (what the tourist can see and what they cannot see), Mediating encounters between cultures	Mediating access, information and encounters
Hughes (1991) Psychological	Facilitate communication between cultural groups, provide insights into local way of life, buffer between tour group and the unfamiliar, provide access to non-public places	mediating access information and encounters
Weiler <i>et al.</i> (1991) Tourism/ tourist guiding	Cultural brokering and interpretation	Mediating information
Pond (1993) Tourism/tourist guiding	Inform, create memorable interpretations	Mediating information
Gurung <i>et al.</i> (1996) Tourism/ Tourist guiding	Agent between the visited and visitors, interpret host cultural and natural features, point out points of interest, making strange encounters non-threatening	Mediating information and encounters
Bras (2000) Anthropological	Brokers as entrepreneurs, turn social relationship and guiding narratives into a profitable business asset	Mediating information and access
Ap & Wong (2001) Tourism/ Tourist guiding	Interpretive aspect of guiding enhance visitors' understanding of destination	Mediating information
Smith (2001) Sociological	Mediating between hosts and guests, cultural interpretation, ethnic imaging, cultural trait selection, decision making.	Mediating access, information and encounters
Yu, Weiler & Ham (2001) Intercultural communication Tourism/tourist guiding	Facilitate communication, understanding and action between different cultural groups	Mediating information and encounters

Table 2: The Role of the Tourist Guide as Mediator: definitions in literature

From: X. Yu, B. Weiler & S. Ham, Cultural Mediation in guided tours experiences: a case study of Australian guides of Chinese tour groups, *Working Paper 44/04*, September 2004, p. 4.

As depicted in Table 2 above there have been a number of studies that have acknowledged the mediating role of the tourist guide. These studies however do not distinguish between the

¹⁸⁷ I.D. Muñoz, Tourist translations as a mediation tool: misunderstandings and difficulties, online:

<http://www.academia.edu/1403485/Dur%C3%A1n_Mu%C3%B1oz_I.2011.Tourist_translations_as_a_mediation_tool_misunderstandings_and_difficulties>, s.a. Accessed: 2014-11-14.

social and the cultural mediating role of the tourist guide. They merely indicate that the tourist guides mediating role can be categorised in three different categories: mediating access, mediating information and mediating encounters.¹⁸⁸

A mediator is a person who intervenes between two parties. In the case of heritage and cultural tourism, the tourist guide will be the person who intervenes between the tourist/s and the public sector or the tourism hospitality industry providing services. The “mediator sphere” of the tourist guide is much wider and more complex than just pointing out objects to tourists. He becomes a culture broker, mentor, teacher and social mediator.¹⁸⁹ There seems to be a principal conceptualization in the literature that the tourist guide’s role is a mediator or middleman.¹⁹⁰

The tourist guide will for example mediate access by determining which part of the local environment, heritage and culture is exposed to the tourist and which will be hidden. In this instance tourist guides have to provide the tourists with physical access and insight into the host culture without intruding on their private life.¹⁹¹

This is where the interpretation part of tourist guiding becomes so important, because it is seen as a way of mediating information. The tourist guide has to convey the significance of the sight and the host culture to the visitor in such a way that the visitor can make a meaningful emotional connection. Furthermore, the tourist guide mediates encounters between tourists and the host community, between the different tourist within the tour group and between the tourist and the people working within the tourism industry they will encounter on their trip. The tourist guide is not only the go-between person but also the role model of what is accepted behaviour when they encounter these different groups.¹⁹²

¹⁸⁸ B. Weaver (ed.), *Tour Guides and Interpretation, The Encyclopaedia of Ecotourism*, 2001, p. 556.

¹⁸⁹ B. Rabotić, *Tourist Guides in Contemporary Tourism, International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 4-5.

¹⁹⁰ E. Cohen, *The Tourist Guide. The origins, structure and dynamics of a role. Annals of Tourism Research* 12(1), 1985, pp. 10-13.

¹⁹¹ *Ibid.*

¹⁹² B. Weaver (ed.), *Tour Guides and Interpretation, The Encyclopaedia of Ecotourism*, 2001, p. 556.

The tourist guide has the role of representing a country to a group of tourists or individuals visiting a destination, sometimes as already mentioned, referred to as an ambassador.¹⁹³ The tourist guide will be an intercessor, who will bring about an agreement or settle a dispute by mediation. By doing this he or she will be responsible for being the midway between the public sector and tourist, by providing the tourist with information on tourist guiding legislation. As the *Oxford English Dictionary* puts it, a mediator is a go-between, a messenger or an agent.¹⁹⁴

The “art of guiding” is regarded as a specific skill: it is the skill of selecting information and varying it for different audiences or tourist groups; it is the skill of presenting it in a simple and precise way; it is the skill of allowing the visitor to see and to understand, and yet still seem natural while performing.¹⁹⁵ A tourist guide is there to assist and guide visitors to travel through a destination that is unfamiliar, by giving them directions and accompanying them on their journey and by being the interpreter and mediator between the visitor and the country.¹⁹⁶ Tourism is an activity which involves the direct contact between cultures and all that this includes (folklore, customs, gastronomy, etc.) and therefore, tourism language is considered here as a joint element between tourists and the place they are visiting and their cultures, In this context, tourist translation becomes indispensable, since tourists come into contact and get to know a country by reading and consulting tourist documents, such as brochures, tour guides advertisements. This fact makes essential the quality of these genres and hence, good quality translations are required to guarantee full comprehension and communication between the destination and real or potential tourists.¹⁹⁷

Effective communication requires firstly and crucially that the communicator, in this case the tourist guide organises, and delivers information in ways that raise the tourists’ attention and

¹⁹³ E. Cohen, The Tourist Guide. The origins, structure and dynamics of a role. *Annals of Tourism Research*, vol. 12 (1), 1985, pp. 10-13.

¹⁹⁴ Oxford University Press, ‘*Oxford English Dictionary Third edition, 2001; online version*’, <<http://www.oed.com/view/Entry/115670?redirectedFrom=mediator#eid>>, s.a. Accessed: 2011-11-23.

¹⁹⁵P. van Dyk, Introduction to Tourist Guiding. *Professional Tourist Guides Series. No.1 4th Edition 2nd Impression*, p. 28.

¹⁹⁶ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

¹⁹⁷ I.D. Muñoz, Tourist translations as a mediation tool: misunderstandings and difficulties, online: <http://www.academia.edu/1403485/Dur%C3%A1n_Mu%C3%B1oz_I._2011._Tourist_translations_as_a_mediation_tool_misunderstandings_and_difficulties>, s.a. Accessed: 2014-11-14.

keeps them “hooked on every word.” This is why interpretation plays such an important role in tourist guiding.¹⁹⁸

Firstly, interpretation is not teaching or ‘instruction’ in the academic sense, but rather provocation. Therefore, simple information interpretation about the destination will seldom be able to touch or move the tourist. Tourists will rather be attracted and stimulated to think by interpretation that is interwoven with worries, beliefs, sense of humour, concerns, and other emotional factors common to humankind.¹⁹⁹ Secondly, interpretation must be enjoyable for the tourists because after all, tourists are travelling to seek pleasure.²⁰⁰ Thirdly, it must be relevant to the destination at all times. This is because for a tourist the interpretation has to somehow relate to what is being displayed or described to bring forward something within the tourist’s personality or experience. The group of tourists are unlikely to respond unless what the tourist guide has to tell or to show touches each tourists’ personal experience.²⁰¹ Fourthly, interpretation must be well organised so that tourists can follow it easily. Tourist guiding itself becomes interpretation. This is an art, combining many forms of arts, whether the materials presented are scientific, historical, cultural or architectural. A combination of different forms of art should be used to give life to materials, telling a ‘story’ rather than reciting an inventory requiring less effort to follow.²⁰² Lastly, interpretation should have a theme rather than just a topic. Themes are specific messages that the tourist guide will try to bring forward in the context of interpretation. Thus, tourist guides who are communicating through strong themes in their tours contribute far more towards the sustainable development’s aims of the destination, than those who are simply saying interesting things about separated topics.²⁰³

3.2. Professionalisation of tourist guides

A skilful professional guide is one of the most valuable assets a tourism company or country can have. In many ways, a guide is the “face” of not only the company that employs

¹⁹⁸ B. Weaver (ed.), Tour Guides and Interpretation, *The Encyclopaedia of Ecotourism*, 2001, p. 556.

¹⁹⁹ *Ibid.*

²⁰⁰ B. Weaver (ed.), Tour Guides and Interpretation, *The Encyclopaedia of Ecotourism*, 2001, p. 556.

²⁰¹ X. Yu, B. Weiler & S. Ham, Tour Guides and Interpretation. In B. Weaver (ed.) *The Encyclopaedia of Ecotourism*, 2001, p. 556.

²⁰² *Ibid.*

²⁰³ *Ibid.*

him but also the face of the country.²⁰⁴ Kate Humble, a judge in the World Guide Awards said that:

What makes a good guide is also what makes a good friend: someone whose company you enjoy, who can surprise and delight you, whose advice and comfort you can seek but who knows when to leave you in peace.²⁰⁵

As already made apparent, guiding visitors in a geographically defined area dates back to the ancient times. Although it can be seen as one of the oldest human activities, guiding has not become a ritualised nor fully institutionalised profession yet.²⁰⁶ Furthermore, tourist guiding is a profession which, even today, means a part-time job, specific work conditions, irregular income, precarious living and unhealthy lifestyle.²⁰⁷ Because of the nature of the tourist guide's services, they do not possess offices or the actual business premises, so they do not fit in the hackneyed image of the "small enterprise". With hidden visibility as well as a limited public reputation and bearing in mind the "concealed" status of tourist guiding as a profession, its members are regarded as the "orphans of the industry".²⁰⁸

According to Noel B. Salazar, tourist guides acquire specialized knowledge and training to become professional tourist guides. During tourist guide training, tourist guides are instructed, both implicitly and explicitly, how to use global discourses to represent and sell their natural and cultural heritage as authentically as possible.²⁰⁹ To be effective in their role as a cultural bridge, tourist guides must be experts in the culture of the destination and have a good understanding of the culture of the tourist.²¹⁰ However, in the personal interaction with tourists, guides do not merely reproduce the narratives and practices they were taught at

²⁰⁴ J. Howard, R. Thwaites & B. Smith, Investigating the Roles of the Indigenous Tour Guide, *The Journal of Tourism Studies*, vol. 12 (2), Dec. 2001, p. 32.

²⁰⁵ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

²⁰⁶ J. Howard, R. Thwaites & B. Smith, Investigating the Roles of the Indigenous Tour Guide, *The Journal of Tourism Studies*, vol. 12 (2), Dec. 2001, p. 32.

²⁰⁷ N.B. Salazar, Touristifying Tanzania: Local Guides, Global Discourse, *Annals of Tourism Research*, vol.33 (3), 2006, p. 1.

²⁰⁸ *Ibid.*

²⁰⁹ *Ibid.*

²¹⁰ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, pp. 3-4.

school; instead they themselves become creative storytellers, often subtly questioning or contesting the normative templates.²¹¹ The sociology of tourism literature also recognises that the profession of the tourist guide is very different from the employment. Tourist guiding literature has identified areas of interest and expansion relevant to the emergence of the “new tourist guide profession.”²¹² Furthermore, it can be argued that the evolving form of the tourist guide is developing into an independent service provision orientation in the competitive tourism environment.

Tourist guiding accreditation is specific to each country and is set out in the different Acts which are applicable to tourist guiding. South Africa, Canada and Australia’s tourist guiding institutions function more or less along similar lines. Each country also has government organisation or training and advisory bodies responsible for the professionalisation and standardisation of tourist guiding within the country. It is necessary for countries to form tourist guiding associations to achieve legal and professional status and recognition within the industry. These associations should function under professional bodies within the legal system of each country.²¹³ This helps organise and regulate guides in towns, regions and the country in which they operate. These associations are established to professionalise tourist guiding accreditation and industry training. They act as advisory bodies for the tourist guides and they also promote co-operation between tourist guides and tourism authorities.²¹⁴

It is increasingly becoming important for tourist guides to be professional, because it will ensure that the tourist experience is the best possible and of a high standard. That is why South Africa and Canada place so much attention on the training of professional tourist guides. In Australia, tourist guides only get in-house training from the company they work for. It is not necessary for tourist guides to be trained because there are so many tourist guides who work only as volunteers at the different site attractions. The training required can vary from one that is tightly regulated, like in South Africa and Canada where tourism organizations

²¹¹ N.B. Salazar, Touristifying Tanzania: Local Guides, Global Discourse, *Annals of Tourism Research*, vol.33 (3), 2006, p. 1.

²¹² E. Cohen, The Tourist Guide. The origins, structure and dynamics of a role. *Annals of Tourism Research* 12 (1), 1985, pp. 31-32.

²¹³ IATG, “Institute of Australian Tourist Guides website” <www.iatg.com.au>, s.a. Accessed: 2013-02-20.

²¹⁴ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

controls the tourist guides, to Australia where anyone can set up as a tourist guide without any qualifications.²¹⁵

The industry sector association, the Inbound Tourism Organisation of Australia (ITOA), has an accreditation scheme for guides, but according to Zoe Cook of ITOA, this accreditation is not mandatory. As this is a fairly new scheme, tourist guides currently working in the tourism industry in Australia are given accreditation based solely on their on-the-job experience as a tourist guide (of at least one year). People wishing to enter the industry as tourist guides and be accredited by ITOA must complete a Technical and Further Education (TAFE) college certificate of 242 hours of contact time, or one semester full-time. Subjects studied include cultural relations, customer service, safety and security, preparing commentary, tour coordination, and indigenous tourism and arrival/departure formalities.²¹⁶

It is questionable in the Australian context whether tourist guides are, despite being given a license by local authorities, ready to assume their complex and multifaceted role. The form of their training in many countries is mostly based on revising secondary school knowledge on geography, history, cultural heritage of certain regions and first aid, usually neglecting presentation and communication skills, group dynamics management or anything else which also makes for "the art of guiding." Aspects such as group dynamics, navigation, and assessing group's abilities, pointing out precisely, timing commentary, storytelling, voice projection (audibility), non-verbal presentation and the like appear to be overlooked. The importance of the skills of delivery over actual knowledge in tourist guiding is apparent in the claim that all guides are interpreters first, and subject specialists second. With this in mind, it is necessary to provide sufficient education and training for tourist guides in all tourist destination regions. This will help to establish needed standards, supervise them in practice and, above all, involve the guides in concrete projects and activities at the destination level. There are governmental and non-governmental organizations, destination marketing organisations (DMO), tour operators and travel agencies, which neither understand nor indeed use the possibilities of tourist guiding in this respect. Tourist guides should be treated and motivated as one of the key stakeholders in tourism development.²¹⁷

²¹⁵ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, pp. 3-4.

²¹⁶ *Ibid*, pp. 4-5.

²¹⁷ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 4-5.

This Chapter shows that an important aspect of the tourist guide's role is to facilitate cultural understanding of the host culture by visitors. If, as it is often said, that tourism is a path way to world peace²¹⁸, then that can only come about by visitors to a destination region gaining some sort of understanding of the host's “design for living” or culture and how that design differs from their own.²¹⁹ For many tourists, the most important medium for this transference of cultural understanding is the tourist guide and without the role of mediators, existing destination resources remain either unavailable to visitors or not properly understood and valued by them. Interpretation of the local heritage, living culture, values and cultural identity in general, is the key component of the contemporary guide's role.²²⁰

Tourist guides are front-line professionals who, unlike any other tourism players establish a close, intense and influencing contact with visitors while at the same time protecting the interests of sustainable tourism. They are then the “tourism ambassadors” of their destinations. Nevertheless, their profession is commonly perceived as an ancillary, repetitive and mass tourism activity, although it can be a very effective tool in the construction of tourist experiences.²²¹

Therefore, it will be their responsibility to motivate and reinforce the tourist’s interest in the country. Their commentaries are the “eye” through which tourists will see the country and they are the representative of the people of their country.²²²

3.3. Categories of tourist guides

There are many types of tour guides. Some are self-employed while others work exclusively for one company. Tourist guides work for tour and travel guide companies, cruise lines,

²¹⁸ N. Salazar, “Building a ‘Culture of Peace’ through Tourism: Reflexive and analytical notes and queries”, *Universitas Humanística*, no.62 July -December 2006, pp. 322-324.

²¹⁹ *Ibid.*

²²⁰ B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 4-5.

²²¹ B. Rabotić, Professional tourist guiding: The importance of interpretation for tourist experience, *20th Biennial International Congress: New Trends in Tourism and Hotel Management, Opatija (Croatia)*, 06–08-05-2010, p. 1.

²²² B. Rabotić, Tourist Guides in Contemporary Tourism, *International Conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 7.

visitors' bureaus and hotels as seasonal workers, independent contractors or full-time employees.²²³ They may lead walking tours, driving tours or cruises through popular sites, national parks, historic neighbourhoods, museums or other regional points of interest.²²⁴ Tourist guides must be able to retain historical facts, dates and anecdotes, and then relay that information to visitors in an entertaining and an informative way. Tourist guides working in certain areas may be able to increase job opportunities by joining regional, national and international guide associations.²²⁵ With so many options, it is easy to match up interests and needs with a guiding job that best suites the individual.²²⁶ There are three main categories of tourist guides:

- i. Site Guides – these tourist guides have attained the minimum qualification in order to guide in a “limited geographical area.”²²⁷
- ii. Provincial Guides – are qualified to take tourists around an entire province or state.²²⁸
- iii. National Guides – are permitted to conduct tours around the whole of a country such as South Africa, Canada or Australia, crossing all provincial or state boundaries.²²⁹

However, these categories can also have the following types of tourist guides with in them namely:

²²³ P. van Dyk, Introduction to Tourist Guiding. Professional *Tourist Guides Series. No.1 4th Edition 2nd Impression*, p. 28.

²²⁴ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

²²⁵ P. van Dyk, Introduction to Tourist Guiding. Professional *Tourist Guides Series. No.1 4th Edition 2nd Impression*, p. 28.

²²⁶ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’ <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

²²⁷ Gauteng Guides Association, ‘Tourist Guiding South Africa’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

²²⁸ APTG-Montréal, ‘Association Professionnelle des guides Touristique Chapitre de Montréal website’, <<http://www.apgt.ca/en/>>, s.a. Accessed: 2014-07-10.

²²⁹ P. van Dyk, Introduction to Tourist Guiding. Professional *Tourist Guides Series. No.1 4th Edition 2nd Impression*, p. 28.

- i. Adventure Guides – conduct a guided adventure experience i.e. rock climbing, paddling, diving, etc.²³⁰
- ii. Nature Guides – conduct a guided natural experience in a limited geographical area i.e. game reserves, national parks, nature conservation areas, trails, etc.²³¹
- iii. Cultural Guides – conduct a guided cultural experience in a limited geographical area i.e. museum, community, wine farm, historical precinct, etc.²³²

Thus, professional tourist guides will have a high level of general knowledge about the country they operate in and have specialised site and destination expertise. Professional tourist guides will have excellent communication and organisational skills. They will also have good leadership and management skills. By being accredited a professional tourist guide, they will also be qualified in first aid and occupational health and safety skills. Professional tourist guides will have a greater ecological and environmental awareness. Thus, by using professional guides South Africa, Canada and Australia can be sure that tourist guides provide the best image of the respective country and convey that feel about the country with the service they provide. This is because tourist guides are the all-important face of the tourism industry they represent. They have direct contact with visitors, and an amazing opportunity to influence how guests – both internationally and domestic – perceive and experience the destination.²³³

²³⁰ APTG-Montréal, “Association Professionnelle des guides Touristique Chapitre de Montréal website”, <<http://www.apgt.ca/en/>>, s.a., Accessed: 2014-07-10.

²³¹ FGASA, ‘Field Guides Association of South Africa’, <<http://www.fgasa.co.za>>, s.a. Accessed: 2011-11-23.

²³² P. van Dyk, Introduction to Tourist Guiding. Professional *Tourist Guides Series. No.1 4th Edition 2nd Impression*, p. 28.

²³³ B. Rabotić, Tourist Guides in Contemporary Tourism, *International conference on Tourism and environment Sarajevo*, 4-5 March 2012, p. 1.

CHAPTER 4 ORIGIN AND DEVELOPMENT OF TOURISM

4.1. Overview of tourism history

It has been said that, “fundamentally, tourism policy should present a set of guidelines, which when combined with planning goals, charts a course of action for sound decision-making.”²³⁴ However it is also apparent that “tourism policy typically fragmented and poorly defined by government throughout the world is sometimes difficult to understand.”²³⁵ Thus when policy is properly applied, it is a vehicle for a government to direct and stimulate the tourism industry and to regulate the different sectors involved. As will be evident in this study it is also critical to regulate tourist guides. In sum, the policies set for the tourism industry will direct the course of action for the development of the industry.²³⁶

This section will look at the overall development of tourist guiding and tourist guiding legislation within the tourism industry. It is important to look at how the tourism industry developed in global perspective to see how South Africa, Australia and Canada developed along similar lines just at different stages in their respective histories. As travelling and tourism dates back many years, the history of tourism, especially with regards to the development of tourism legislation, is an exciting and dynamic field.²³⁷ The importance of the contribution of the history of tourism and its development will provide a better understanding of this dynamic phenomenon.²³⁸

There is no single moment in the history of tourism to pinpoint as the sole origin of tourism or of tourism policy development. People started travelling for one purpose or another as far back as the classical era or even before.²³⁹ It thus follows that tourist guides have existed for some two and a half millennia and have emerged as a very important factor within the travel

²³⁴ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 13.

²³⁵ *Ibid*, p. 13.

²³⁶ A.J. Norval, *The Tourism Industry*, p. 52.

²³⁷ *Ibid*.

²³⁸ J.K. Walton, *Histories of Tourism. Representation, Identity and Conflict*, pp. 1-2.

²³⁹ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 37.

industry.²⁴⁰ Today, it is difficult to perceive of organized tourism without the service of tourist guides.²⁴¹ This is because tourist guides are the frontline employees in the tourism industry who play an important role in shaping tourists' experiences in a destination; influencing the quality of the tourist encounter; the length of stay; and the resulting economic benefits for a local community and or the gross domestic profit (GDP).²⁴²

The nature of tourism has dramatically changed over the years and has been influenced by different events taking place in different phases or eras and has developed alongside other significant milestones in history.²⁴³ There were certain factors that opened up the way for tourism development which turned it into the industry it has become. These factors are technological developments as well as production and management related changes. The shorter working hours in some countries, great individual prosperity, faster and cheaper travel methods, more destinations to choose from and major technological advancements all contributed to the development of the tourism industry.²⁴⁴ As shown in Figure 1, modern tourism is generally agreed to have its origins in the Grand Tour of the 1550s to 1850s.²⁴⁵ An analysis of history can help one understand the present and appreciate how the tourism industry got moulded by these events and developments.²⁴⁶

People started travelling from around 5000BC for the purpose of trade and exploration. Through the ages various historic civilisations have made major contributions to travel.²⁴⁷ For example, the Sumerians invented the wheel, money and cuneiform writing, enabling them to acquire travel goods and trade with other civilisations.²⁴⁸

²⁴⁰ B. Rabotić, Tourist Guides in Contemporary Tourism, *International conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 1-2.

²⁴¹ *Ibid.*

²⁴² S. Huang, C.H.C Hsu & A. Chan, *Tour Guide Performance and Tourist Satisfaction: a Study of the Package Tours in Shanghai*, 2010, pp. 1-2.

²⁴³ M. Kasimoglu (Ed.), *Golden Age of Mass Tourism: Its History and Development, Visions for Global Tourism Industry - Creating and Sustaining Competitive Strategies*, p. 3.

²⁴⁴ *Ibid.*, pp. 3-5.

²⁴⁵ M. Perry, *Western Civilisation: A brief History*. 4th Edition, p. 128.

²⁴⁶ B.A. Lubbe, *Tourism Management in South Africa*, pp. 12-13.

²⁴⁷ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 13.

²⁴⁸ M. Perry, *Western Civilisation: A brief History*. 4th Edition, p. 128.

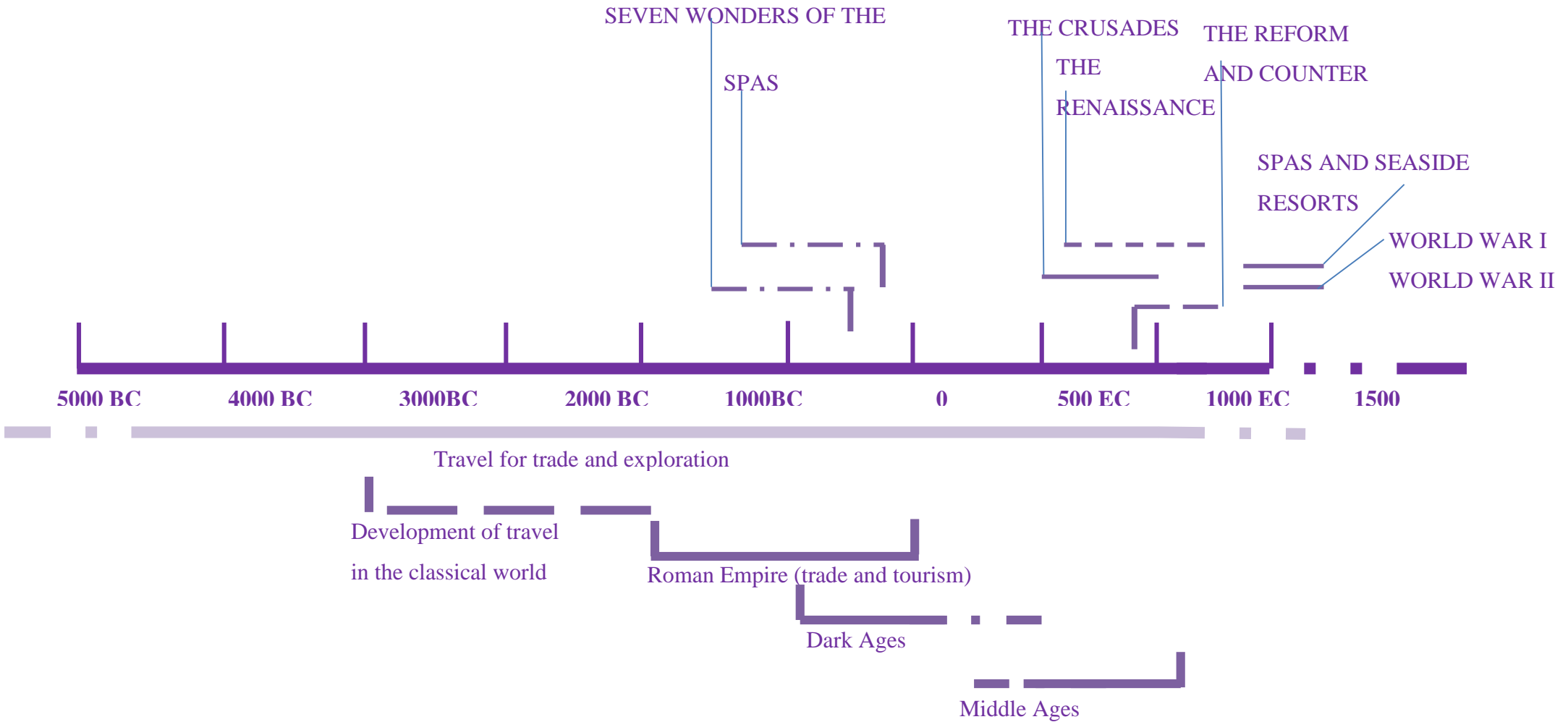


Figure 1: Events and developments that effected the tourism development history.

From: B.A. Lubbe, Tourism management in South Africa, (Pretoria, 2003), p. 12.

The Phoenicians were also well known for their sea travelling and trading activities. In later years great explorers also added to people's knowledge of the so-called unknown world.²⁴⁹ As people became richer and political conditions were more stable, people could travel. This lasted all the through to the Classical world, where people started travelling for pleasure and recreation. Greek and Roman civilisations experienced remarkable growth in travel between 2000BCE to CE 500.²⁵⁰ Apart from travelling for commerce, trade, war, medical treatment and education, athletics and religion, pleasure and other developments also became more important. It is also during this time when the Roman Empire flourished and then ventured into advancing tourism activities.²⁵¹

Later on, the pilgrims from the Dark Ages and Middle Ages (fifth to fifteenth century) encouraged travelling on the great pilgrimage routes that passed through all the countries in Europe. After the last Crusades (First Crusades starting in 1095 and the last ending in 1291) had taken place, there was an overlapping period of the Reformation movement (late eighteenth century to early twentieth) and the Renaissance (fourteenth to seventeenth century). During this time people practiced new-found freedoms and scientific curiosity which further motivated travel.²⁵² During the seventeenth and eighteenth centuries, people started travelling for educational purposes this was the so-called age of the Grand Tour. The Grand Tour was undertaken by wealthy young men, travelling with a tutor to various countries for the purpose of educating themselves on the various countries' cultures and languages.²⁵³ This is generally regarded as a key moment if not the genesis of the development of modern tourism.

Another popular trend in tourism was the use of spas, which the Romans initiated. By the eighteenth century spas were developed by the wealthy for medicinal value and the entertainment industry that had developed around them. Seaside resorts were also introduced for medical reasons in the eighteenth century, because it was believed that the salt water was more beneficial than the spas. The development of seaside resorts also indicated the growing demand for holiday travel. Initially spas and seaside resorts were visited for their medicinal and therapeutic value; however it quickly became a combination of health, pleasure as well as recreational travel holiday.²⁵⁴

²⁴⁹ A.J. Norval, *The Tourism Industry*, p. 55.

²⁵⁰ M. Perry, *Western Civilisation: A brief History*. 4th Edition, p. 128.

²⁵¹ A.J. Norval, *The Tourism Industry*, p. 50-56.

²⁵² B.A. Lubbe, *Tourism Management in South Africa*, p. 13.

²⁵³ *Ibid*, p. 17.

²⁵⁴ *Ibid* pp. 19-20.

After the devastation of World War I and II, it became apparent that tourism was regarded in many parts of the world as a key tool for economic development. However, A. Norval claims that prior to this: “At the close of the nineteenth century and up to the outbreak of the World War in 1914 the tourist movement had assumed considerable dimensions and surpassed anything of its kind.”²⁵⁵ The subsequent emergence of international tourism resulted in numerous countries setting tourism policies in place.²⁵⁶ In general, large-scale migration of people over borders led to local authorities focusing on the importance of the upgrading of tourism policies. Together with the world-wide visibility of tourism as a significant and multifaceted industry, there was the awareness of tourism as a field of research with many obstacles and dimensions.²⁵⁷ It was during this time that politics, economics, international relations and cultural imagery became important aspects of tourism development. Historians who have ventured into tourism studies relating to the history and development of tourism noted that an episodic approach was taken to a more diachronic analysis.²⁵⁸ From the 1930s onwards rapid development would take place boosting the tourism industry and making it easier for the wealthier people to travel.²⁵⁹ As a result of World War II, world-wide communication and transportation also developed tremendously. Probably the most significant determinant was the introduction of air travel which occurred after the beginning of the nineteenth century making long-haul travel possible. The packaged tour, introduced by Thomas Cook, involved organising itineraries which included transportation, accommodation and banking services and this was a further stimulus in the development of the tourism industry.²⁶⁰ In addition, the introduction of holiday camps became popular. These were aimed at the growing low income market and received widespread public acceptance.²⁶¹

4.2. Genesis of tourism in Australia, Canada and South Africa

Australia had long-haul travellers from as early as the seventeenth century, shortly after the arrival of the British convicts. By 1770 James Cook chartered the eastern coast of Australia and claimed it for

²⁵⁵ A.J. Norval, *The Tourism Industry*, p. 45.

²⁵⁶ D.L. Edgell Sr., *Tourism Policy: the next Millennium*, pp. 8-9.

²⁵⁷ D.L. Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, pp. 40-41.

²⁵⁸ A. Grundlingh, Revisiting the “old” South Africa: Excursions into South Africa’s Tourist History under Apartheid, 1948-1990, *South African Historical Journal*, 56(2006), p. 103.

²⁵⁹ M. Kasimoglu (Ed.), *Golden Age of Mass Tourism: Its History and Development, Visions for Global Tourism Industry - Creating and Sustaining Competitive Strategies*, p. 1

²⁶⁰ B.A. Lubbe, *Tourism Management in South Africa*, pp. 19-20.

²⁶¹ M. Kasimoglu (Ed.), *Golden Age of Mass Tourism: Its History and Development, Visions for Global Tourism Industry - Creating and Sustaining Competitive Strategies*, p. 1

Britain as a colony. Although Australia was used as a penal colony it would become a major mineral and industrial attraction during the eighteenth century as a result of the discovery of gold. This would bring wealth, migrants and the development of modern cities such as Melbourne, Perth and Sydney. Australia was left devastated by its involvement in World War I and would only start recovering from the 1920s.²⁶² Australia's tourism industry seemed to have peaked a lot earlier than South Africa. Australia had already experienced a steady flow of visitors into the country between 1925 and 1933.²⁶³ The National Travel Association was founded as early as 1929. This was a private organisation representing Australian railways, shipping and the hotels, and was an organisation that was responsible for implementing policies relating to the various sectors it represented.²⁶⁴ This shows that from a lot earlier on, Australia would have started developing policies to regulate the visitors in some way.²⁶⁵

By 1945 Australia had developed as a destination of note and migrants were coming from Europe and Middle Asia. By the 1950s, Australia's economy would start experiencing rapid growth because of industry development together with specific government initiatives to enhance the country.²⁶⁶ The Olympics hosted during June of 1956 was a major stimulus for tourism and besides the global focus of attention, people would later also flock to Australia to see what they managed to achieve by hosting this big event. Interestingly, Australia's increased independence from Britain also ensured that it became a more popular travel destination. From the 1970s onwards it seemed as though the tourism industry really took a huge leap forward with the introduction of a few major attractions for tourism. Firstly, the Taronga Western Plains Zoo (also known as Dubbo Zoo) was opened to the public on 28 February 1977 in New South Wales which offered safari-type accommodation and hosted animals from all over the world. Secondly, the first Sydney Mardi Grass was held on 24 June 1978, and many theme parks were built as tourist attractions for locals and international travellers. In 1982 Brisbane hosted the Commonwealth Games, which yet again focussed attention on and attracted tourists to Australia and also ensured the development of infrastructure.²⁶⁷ The Paul Hogan Tourism Campaign, based on the film *Crocodile Dundee*, was established in 1983 and was an initiative which marketed Australian tourism specifically to the USA, thus broadening the tourism market. In 1985 the airline

²⁶² Tourism Australia, 'Tourism Australia Home Page', <<http://www.tourism.australia.com/en-au/>>, s.a. Accessed: 2012-08-06.

²⁶³ *Ibid.*

²⁶⁴ A.J. Norval, *The Tourism Industry*, p. 272.

²⁶⁵ *Ibid*, p. 55.

²⁶⁶ P. De Lange, *The games cities play*, pp. 148-158.

²⁶⁷ P. De Lange, *The games cities play*, pp. 148-158.

Qantas also made a major contribution to the tourism industry by introducing the Qantas 767 which made this long-haul travelling faster and easier.²⁶⁸ Lastly, the second Olympic Games in Sydney in 2000 was yet another instrumental event which focused world attention on Australia and hence had a positive knock-on effect on tourism.²⁶⁹ The Sydney Games demonstrated that strong public/private partnerships and cooperation resulted in widespread incremental benefits. The challenge confronting the Australian government and tourism stakeholders will be to establish the necessary linkages to ensure the development of collaborative strategies in conjunction with major international or domestic events so that lasting benefits will be created across the country.²⁷⁰

Travel literature in Canada dates back to the mid-eighteenth to the early nineteenth century. Writings by the early explorers and traders contributed to the growing knowledge of the Canadian landscape, still the primary attraction of Canada's tourism industry. Looking at the tourism industry figures from 1925 to 1933, one can see that the tourism industry started to develop and take on a distinct shape during this period.²⁷¹ It would be during this time that government would look at the national and economic significance of the tourism industry. It still was not considered as the major industry, but it was already ranked sixth among the top industries in Canada.²⁷² By 1934 there was already a great number of tourism promoting organisations and agencies that took an interest in developing the tourism industry. A special committee, the Canadian Tourism Commission (CTC), was established in 1995 with the sole purpose of promoting tourism trade in and to Canada, to develop the Canadian Travel Bureau and a permanent progressive programme for the development and promotion of the tourism industry.²⁷³

In the 1950s and 1960s the emphasis was on growth and promotion of tourism, because over the past several decades, the continuing growth in the tourism industry has led it to become one of the fastest growing economic sectors in the world and in turn, a driver for economic progress.²⁷⁴ This also meant that Canada's government would start to play an active role in the development of the tourism

²⁶⁸ Tourism Australia, 'Tourism Australia Home Page', <<http://www.tourism.australia.com/en-au/>>, s.a. Accessed: 2012-08-06.

²⁶⁹ P. De Lange, *The games cities play*, pp. 148-158.

²⁷⁰ *Ibid.*

²⁷¹ P.E. Murphy, *Tourism in Canada: Selected Issues and Options. Western Geographical Series vol. 21*, pp. 3-4.

²⁷² A.J. Norval, *The Tourism Industry*, p. 60.

²⁷³ *Ibid.*, p. 275.

²⁷⁴ HLT Advisory, *The Canadian Tourism Industry. A Special Report*, Fall 2012, pp. 1-3.

industry.²⁷⁵ Government started to stress that planning should be associated with the development of tourism promotion and policy development. This led to the 1970s upgrade of the tourism industry and the federal government's active involvement in the creation of economic development programs with several territories²⁷⁶

Two contrasting trends highlighted Canada's international travel market during the second half of the 1970s and this helped to establish Canada as a long haul tourism destination. The first trend was related to the decline in American visitors arriving between 1975 and 1979. However, the second trend was the increase in the number of overseas visitors to Canada.²⁷⁷ During 1979 Travel Industry Development Subsidiary Agreements (TIDSA) were established in British Columbia. This meant that plans would be formulated to develop the tourism industry using unexploited and new initiatives, generating employment opportunities in the tourism industry and contributing to growth and development of the tourism industry. This meant the development of a long term tourism industry strategy for British Columbia.²⁷⁸ The Tourism Industry Association of Canada (TIAC) and Hospitality Leisure & Tourism Advisory (HLTA) recognized the tourism industry as a dynamic and far-reaching sector with great economic impact that helps to employ Canadians across the country, in every region. Moreover, that the Canadian tourism industry is an industry of collaboration between businesses: The transportation services which deliver visitors to and through our vast country; the hotels and other accommodations which provide them with comfort and hospitality once they arrive; and the attractions, which create the experiences and memories which compel visitors to come to Canada and return often.²⁷⁹

By 2014, tourism generated over \$88.5 billion in revenue. With over \$17.2 billion of this or nearly 20% coming in from international travellers, making tourism Canada's number one service export. This directly contributes to Canada's total GDP and supports 627,000 jobs across the country.²⁸⁰ Opportunities exist for government and the private sector to seize the extraordinary opportunity afforded by "mega events" occurring in Canada. The British Columbia. Finance Minister Kevin Falcon said that: "the 2010 Winter Olympics in Vancouver paid measurable economic, social and

²⁷⁵ P.E. Murphy, *Tourism in Canada: Selected Issues and Options*. *Western Geographical Series* vol. 21, pp. 3-4.

²⁷⁶ *Ibid*, pp. 4-5.

²⁷⁷ P.E. Murphy, *Tourism in Canada: Selected Issues and Options*. *Western Geographical Series* vol. 21, p. 29.

²⁷⁸ *Ibid*, p. 187.

²⁷⁹ HLT Advisory, *The Canadian Tourism Industry. A Special Report*, Fall 2012, pp. 1-3.

²⁸⁰ Government of Canada, 'Supporting Tourism', <<https://www.ic.gc.ca/eic/site/034.nsf/eng/00213.html>>, s.a.

Accessed: 27-10-2014.

cultural benefits to British Columbia at a time when world economies were struggling.”²⁸¹ The pre-and-post-Olympics period from 2003 to 2010, indicated that a wide range of areas, including the economy, tourism, legacy, performance and national pride benefitted from the Olympics. It was calculated that from 2003 to the end of 2010, the Games generated at least \$2.3 billion in real GDP to British Columbia alone and it created more than 45,000 jobs and the additional investment in sport paid off with a record haul of gold medals.²⁸²

South Africa’s tourism development was at a much slower pace than both Australia and Canada. Nevertheless although it was slow to start it did develop into a major industry. The South African Department of Tourism was founded in 1927 within the South Africa Railways Administration in a concerted effort to promote tourism and increase the number of tourists arriving from overseas.²⁸³ In 1947 the South African Tourism Board (SATOUR) was formed to deal with tourist matters in South Africa. SATOUR was recognized internationally for its high-quality services.²⁸⁴ Furthermore, after the change of government in 1948, with the National Party’s electoral victory, tourism became more important, because it created infrastructural development. It also meant that the economy benefited from the influx of tourists.²⁸⁵

South Africa, like Australia and Canada, is a long-haul destination, which for the majority of potential overseas visitors meant longer holidays, however it also implied greater cost.²⁸⁶ The main South African objective was to develop the tourism industry and encourage people to travel to these long-haul destinations.²⁸⁷ In the 1960s the situation started to change in South Africa because of the political “crack down” by the apartheid government after the Sharpeville killings. Together with the new found short-lived “political stability” there was also now a docile and exploited workforce which

²⁸¹ D. Meissner, 2010 Olympics: Vancouver Winter Games Gave Economy A \$2.3 Billion Boost, Report Says, *The Canadian Press*, 10-27-2011.

²⁸² *Ibid.*

²⁸³ A.J. Norval, *The Tourism Industry*, pp. 298-300.

²⁸⁴ A. Grundlingh, Revisiting the “old” South Africa: Excursions into South Africa’s Tourist History under Apartheid, 1948-1990, *South African Historical Journal*, 56(2006), p. 105.

²⁸⁵ SATGA, ‘South Australian Tourist Guides Association website’, <<http://satourguides.org.au/membership/>>, s.a. Accessed: 23-10-2015.

²⁸⁶ A.J. Norval, *The Tourism Industry*, pp. 55.

²⁸⁷ P.H.G. Vrancken, The national legal framework of Tourism: Past, Present and Future, *Stellenbosch Law review* vol. 10 (2000), pp. 85-98.

made for more job opportunities. According to A. Grundlingh, this meant that South Africa experienced high rates of economic growth, which in turn meant that tourism also developed.²⁸⁸

For the rest of the world, as indicated, the twentieth century was a time that also showed rapid growth in tourism as transport improved with the development and expansion of travel. This gave the masses the chance to participate in long-haul destinations and is a development associated with that of the Golden Age of “mass tourism.”²⁸⁹ It was also during this time that the wider development of tourism in the world had an influence on South Africa’s tourism industry. The technological advances included the introduction of the jet aircraft meant that more people could travel to South Africa.²⁹⁰ By the 1970s the South African government implemented new tourism strategies. A policy of tourism awareness and marketing tourism orientated organisations was implemented. Tourism became one of the largest earners and the need for a professional approach became more important. Tourism policies were adapted because of the increase in tourists travelling for leisure purposes. It was also during this time that holiday packages were developed and became very popular.²⁹¹

In the 1980s turbulent events in South Africa’s political history put the government under pressure and it came under international scrutiny as a result of its discriminatory apartheid policies and repressive and violent actions. Despite this, there was still a fairly stable pattern of overall overseas visitors. The government had to make intense efforts to put forward a more positive image. The tourism industry managed to survive and after 1986 the tourism arrivals remained fairly constant.²⁹²

After the 1994 democratic elections South Africa emerged as a destination of choice partly because the changed political climate, but also due to its internal exposure. Thulani Nzima, CEO of SA Tourism (SAT) said that: “The South African tourism industry must have done something right, because it continues to grow.” He furthermore said that South Africa had also benefited from the legacy of the 2010 Soccer World Cup exposure, which was far beyond any marketing money we

²⁸⁸ A. Grundlingh, Revisiting the “old” South Africa: Excursions into South Africa’s Tourist History under Apartheid, 1948-1990, *South African Historical Journal*, 56(2006), pp. 105-106.

²⁸⁹ M. Kasimoglu (Ed.), *Golden Age of Mass Tourism: Its History and Development, Visions for Global Tourism Industry - Creating and Sustaining Competitive Strategies*, p. 1.

²⁹⁰ B.A. Lubbe, *Tourism Management in South Africa*, pp. 19-22.

²⁹¹ P.H.G. Vrancken, The national legal framework of Tourism: Past, Present and Future, *Stellenbosch Law review* vol. 10 (2000), pp. 85-98.

²⁹² *Ibid*, pp. 119-121.

could have paid.²⁹³ To him it is important for South African tourism not just to focus on the international market, but to travel in their own country and enjoy the benefits the tourism industry brings. He said that: “The culture of tourism in SA is at a low level. Domestic tourism is 72% of our tourism industry, while it is 89% in China.” He added that: “Another opportunity SAT is exploring is tourism attractions inspired by the life of Nelson Mandela.”²⁹⁴

Thus the three countries under consideration have all undergone a relatively positive transition since their early tourism beginnings. This is line with the global development of tourism

4.3. Government involvement in tourism policy development

The 1990s may very well be recorded as the most important decade for the development of tourism policies worldwide. Tourism developers and governments realized that policy would help with the many challenges the industry faced. The respective governments had the long and difficult task of developing policy that would shape present and future tourism decisions.²⁹⁵ This process was complex because of the different and often competing interest of the public sector. It was necessary for the policy to fit in with regional, national and global tourism policies. It also helps the destination move ahead with clear direction.

As indicated above tourism policy forms an indispensable part of the industry development as it sets out guidelines and objects which ultimately drive the tourism industry. Most countries have laws and regulations that influence policy decisions on tourism, be it at city, state (territorial division, depending on the country), federal or at national level.²⁹⁶

In his book *Governments and Tourism*, David Jeffries states that, “tourism is a basic and most desirable human activity deserving the praise and encouragement of all peoples and all governments,”²⁹⁷ to show the importance of tourism and the supreme place it has in modern civilization. A. Norval claims that the worldwide growth in tourism with its implications for resource management and economic development has forced governments to recognise its contribution and that involvement would become inevitable for governments.²⁹⁸ Governments distinguish themselves

²⁹³ C. Smith, SA tourism 'did something right' – CEO, *Fin24*, 12-07-2014.

²⁹⁴ *Ibid.*

²⁹⁵ D.L. Edgell Sr., *Tourism Policy: the next Millennium*, 1999, pp. x, 70-71.

²⁹⁶ D. Jeffries, *Governments and Tourism*, p. 102-103.

²⁹⁷ *Ibid*, p. 13.

²⁹⁸ A.J. Norval, *The Tourism Industry*, p. 270.

from the private or commercial and the voluntary or non-profit sectors, in that they are in most cases democratically elected and therefore they are accountable for the public at large. They exercise the power over citizens and other institutions albeit within a framework of law and for this reason need to take cognisance of sectors such as tourism.²⁹⁹ Jeffries discusses why policy documents, high-level reports and ministerial statements play an important role in the development of tourism. He furthermore makes the point that government is indispensable by using the statement from the foreword to WTO's *Towards New Forms of Public-Private Sector Partnership*: "Although tourism is an activity sustained mainly by private initiative, governments have traditionally played a key role in its development."³⁰⁰

Like all other industries, tourism should have its own momentum and balance, provided that governments create the suitable economic context for it. That is why there was a need to create a new national body, with particular authority to regulate the tourism industry.³⁰¹ National Tourism Administrations (NTAs) exist in South Africa, Canada and Australia. NTAs are a central government body responsible for the development of the tourism industry at the highest level. These central government bodies have the power of direct intervention in the tourism sector.³⁰² However, governments will only occasionally enact legislation primarily aimed at tourism development. In South Africa the National Department of Tourism (NDT) acts as the NTA, while in the Canadian Tourism Commission³⁰³ (CTC) fulfills this position and in Australia the Department of Industry, Resources and Tourism³⁰⁴ works on a range of tourism policies, projects, programs and research to strengthen the tourism industry. Generally, the NTA and the government work together with state legislature and serve as architects, budgeters and planners for initiating, implementing and supporting tourism policy.³⁰⁵ Governments will implement the more general policy decisions and regulatory parameters within the tourism industry.³⁰⁶ The big question governments are initially faced with is not so much "should governments be involved in tourism?" but rather to what extent should they be

²⁹⁹ A.J. Veal, *Leisure and Tourism Policy and Planning*, p. 1.

³⁰⁰ D. Jeffries, *Governments and Tourism*, p. 102-103.

³⁰¹ *Ibid*, pp. 84-85.

³⁰² D. Jeffries, *Governments and Tourism*, p. 10.

³⁰³ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 16.

³⁰⁴ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 64.

³⁰⁵ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 32.

³⁰⁶ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 26.

involved and, above all with what objectives?”³⁰⁷ In much of the literature, relating to tourism policy development there is tension between the desire to model policy and a focus on how tourism policy is formulated.³⁰⁸

Other than the long term development secured by tourism, there are two other reasons why governments should get involved in the tourism industry. One being the actual or proposed general legislation and policies such as those governing taxation, and their specific effects; and the other being the legislation and policies, institutions and programmes with tourism as their central focus that may be initiated and supported by.³⁰⁹

Governments have become a salient fact in the tourism industry, although it may seem like they are unsupportive or discouraging or preoccupied with other sectors.³¹⁰ The tourism industry cannot survive without the help of government. Edgell makes the point that government, private sector and non-profit agencies must work collaborately to create the necessary and effective policies relating to the tourism industry.³¹¹ This is because government has the power to provide political stability, social infrastructure, security and the legal and financial framework to help regulate the tourism industry and help develop the industry more efficiently.³¹² Government’s role in tourism was seen as having developed in four phases: promotion, stimulation, intervention and coordination.³¹³ It was however only much later that government decided to get involved, when they realised the potential revenue generation of tourism.³¹⁴ South African, like Canadian and Australian tourism experiences are, no exception to the general rule. Potential earnings of tourism motivated all three countries and consequently, government became more interested in the development of tourism policies and the promotion of the industry.³¹⁵

³⁰⁷ P.E. Murphy, *Tourism in Canada: Selected Issues and Options*. *Western Geographical Series*, vol. 21, p. 183.

³⁰⁸ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 1.

³⁰⁹ D. Jeffries, *Governments and Tourism*, pp. 102-103.

³¹⁰ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 27.

³¹¹ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 6.

³¹² W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 27.

³¹³ D. Jeffries, *Governments and Tourism*, p. 10.

³¹⁴ P.E. Murphy, *Tourism in Canada: Selected Issues and Options*. *Western Geographical Series* vol. 21, p. 183.

³¹⁵ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 184.

Each country has a unique approach to policy formulation, with specific variations in the outcome variable of governance representation in different countries.³¹⁶ Tourism policy should initially set regulations, rules, guidelines, directives and development/promotion of objectives and strategies for long-term tourism development.³¹⁷ Some countries make use of national governments for developing and implementing tourism policy, while others leave these efforts to local and regional authorities.³¹⁸

South Africa, like Canada and Australia, make use of national government for developing tourism legislation. Australia is divided about the involvement government should have in the tourism industry. It divides its responsibility between national and state government level. By doing this the national government agencies have the prime responsibility for the formulation and implementation of policies operating at national level. While the states and territories have the responsibility for the promotion and marketing of state attractions and for the development of tourism facilities, through land zoning, planning control and licensing.³¹⁹ Canada's government took a coordinated approach with a full partnership in tandem with either public and or private sector organizations. This was orchestrated by the CTC that recognized the importance of the public and private partnership in tourism policy making and marketing. Because of fragmentation inherent among the members of the tourism industry the CTC administrate the tourism industry by not just setting policy but also implementing the said policy.³²⁰ In South Africa, the process of formulating policy occurred within the context of the improvement of life and quest to erase social inequality after the 1994 democratic elections. The process of policy formulation and the appropriate way of governing was under constant scrutiny. Consequently a Tourism Minister was appointed to represent the Tourism Board on a national and provincial level.³²¹

Figure 2 shows the process of tourism policy development, by indicating how government is influenced by the tourism industry as well as the local residents when developing relevant tourism policy.

³¹⁶ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, pp. 36-37.

³¹⁷ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 6.

³¹⁸ *Ibid*, pp. 102-103.

³¹⁹ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 64.

³²⁰ D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 6.

³²¹ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 70.

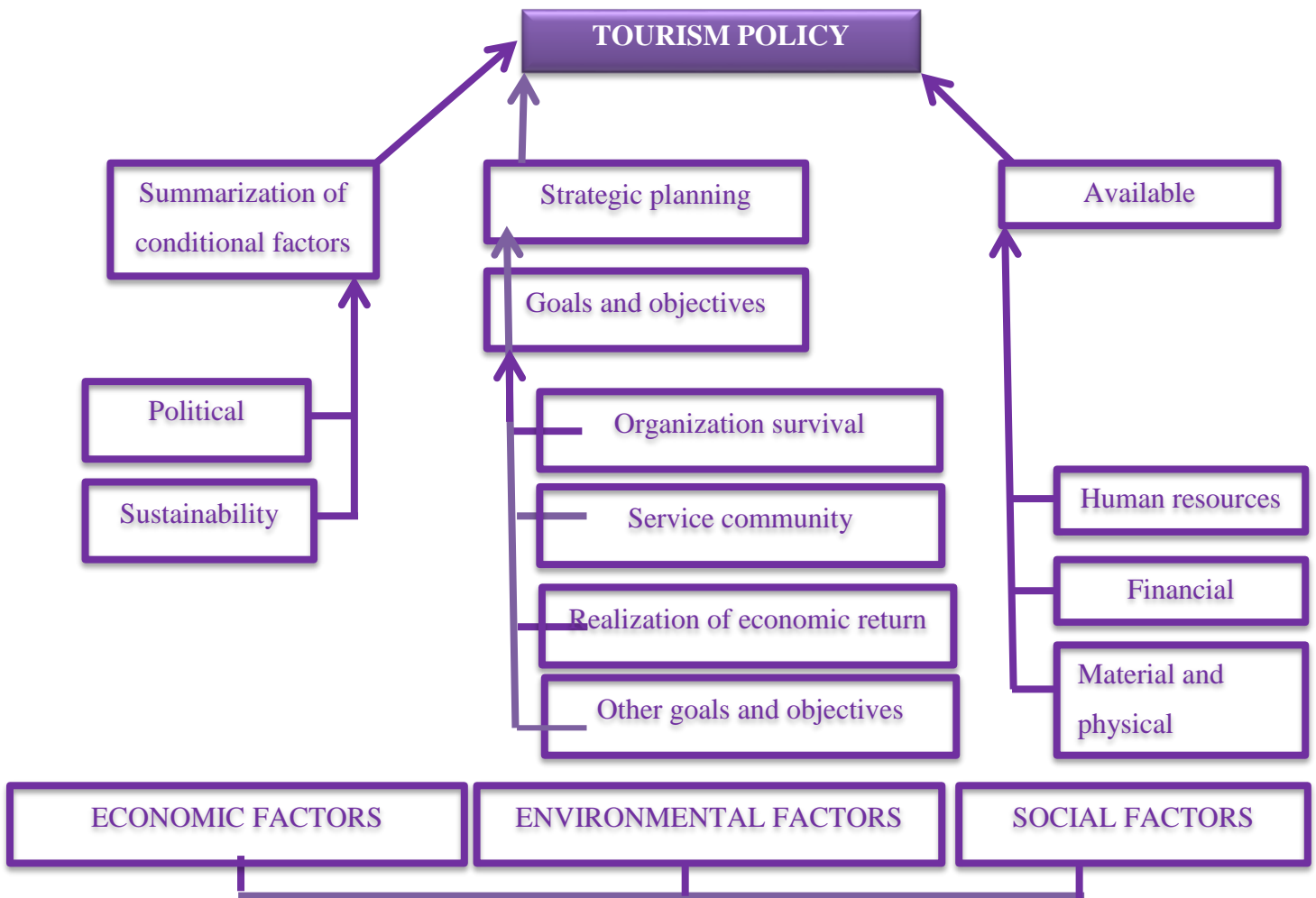


Figure 2: Tourism Policy development Process

From: D.L Edgell Sr, M. DelMastro Allen, G. Smith & J.R. Swanson *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 21.

This is crucial for the long-term success and effectiveness of the policy development. It shows all the resources that needs to be earmarked to provide the best possible tourism experience for the tourist visiting and for the tourism industry to function efficiently.³²² This Figure clearly shows that the leisure and tourism facilities or services are not just there. It shows the interconnectedness between the outside influences like resources and the local community may have on the policy development process. Tourism policy is concerned with ongoing principles and broad goals that guide the actions of a government body.³²³

³²² D.L Edgell Sr, M. Del Mastro Allen, G. Smith & J.R. Swanson, *Tourism Policy and Planning. Yesterday, Today and Tomorrow*, p. 21.

³²³ A.J. Veal, *Leisure and Tourism Policy and Planning*, pp. 1-3.

Governments are there to formulate alternatives and select policies and policy solutions based on consultation. They can implement a solution, evaluate and revise it through the necessary channels.³²⁴ In conclusion, government has to effectively make policy within the tourism landscape to encompass the complex nature of the tourism industry.

³²⁴ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 27.

CHAPTER 5 COMPARATIVE ANALYSIS: LEGISLATION AND ASSOCIATIONS

5.1. Regulating tourist guiding practices

The professionalisation of tourist guiding has become a worldwide phenomenon. This has led to the development of strategies geared towards the professionalisation of the tourist guiding sector by introducing regulations concerning tourist guiding practices.

Many tourism agencies rely on legislations enacted by their countries' respective governments or local councils, for example: obtaining permits, licences to conduct tours and the regulations that must be followed. In many countries tourist guiding is a regulated profession requiring a license, which is most often acquired through some form of education or training and examination or testing. Apart from specially organized courses where tourist guides receive basic practical knowledge on tourist guiding and the tourism industry within the specific destination, there are also examples of education at special tourist guiding departments or study programs of the existing tourism colleges and universities.³²⁵

Chapter 5 and 6 will focus on the regulation as well as the practical implications with regards to tourist guiding within South Africa, Canada and Australia. These two chapters will essentially be a critical analysis of the current implementation of tourist guiding legislation within South Africa, Canada and Australia; the current training and development of tourist guides within each of the countries; the global trends in the tourist guiding sector and the relevance to South Africa, Canada and Australia; the registration of tourist guides within each country; the structural/institutional arrangements within each country and the development of tourism strategies to professionalise tourist guiding. Thus, these two chapters will include a comparative analysis on the current status of tourist guiding within South Africa, Canada and Australia.

As shown in Chapter 4 South Africa has earmarked tourism as a key sector with excellent potential for growth: the South African government aims to increase tourism's contribution, both directly and indirectly. The tourism industry was given a boost by the successful hosting of the 2010 Soccer World Cup as it was estimated the country received a record-breaking 8.1-million foreign visitors.³²⁶ In Australia, tourism is like wise an important industry for the Australian economy. In the financial

³²⁵ B. Rabotić, "Tourist guiding" as a new course in higher education: the case of college of tourism in Belgrade, Conference: 4th IRFGT, International Research Forum on Guided Tours, At Estoril (Portugal) 14-03-2015.

³²⁶ Department of Tourism South Africa, *National Tourism Sector Strategy*, 2011, pp. 1-8.

year 2010/11, the tourism industry represented 2.5% of Australia's GDP at a value of approximately of Australian \$35 billion to the national economy.³²⁷ While in Canada there is also a fairly developed focus on tourism with its large domestic and foreign tourism industry. Canada's incredible geographical variety is a significant tourist attractor. Much of the country's tourism is concentrated in Canada's four largest metropolitan areas: Toronto, Montréal, Vancouver and Ottawa. All of these cities are well known for their culture, diversity, as well as the many national parks and historic sites. In 2012, over 16 million tourists arrived in Canada, bringing US\$17.4 billion in international tourism receipts to the economy.³²⁸

In South Africa this has recently led to further growth within the tourism industry despite the tough global economic conditions. The tourism industry will be transformed into a labour-intensive sector, with a supply chain that links across sectors; this is because tourism has become a priority sector in the government's planning and policy frameworks.³²⁹ In Australia, the tourism industry is facing a low level of market share concentration, with the top four players controlling less than 20.0% of total revenue. However, there are tourism programmes and accreditations, together with the National Tourism Strategy, set in place to contribute to the development of the industry.³³⁰ As was already mentioned in Canada the domestic and international tourism combined directly contributes 1% of Canada's total GDP.

The National Tourism Sector Strategy, launched in 2011 by the South African Tourism Department, aims to ensure that the tourism industry realises its full potential in terms of job creation, social inclusion, services exports and foreign exchange earnings, fostering a better understanding between peoples and cultures, and green transformation.³³¹ The current Minister of Tourism in South Africa continues to support these aims. Derek Hanekom said that: "South Africa's tourism industry has proven itself as an excellent vehicle for growing the economy and creating jobs," and "this means

³²⁷ Tourism Australia, 'Tourism 2020. What is Tourism 2020?' <<http://www.tourism.australia.com/statistics/tourism-2020.aspx>>, s.a. Accessed: 27-10-2014.

³²⁸ TIAC-AITC, 'About Canada's Tourism Industry', <http://tiac.travel/advocacy_overview.htm>, s.a. Accessed: 27-10-2014.

³²⁹ M.J.S. Jordaan (Ed.) *Tourism in South Africa* 2nd edition, pp. 1-5.

³³⁰ IBIS World, *Tourism in Australia: Market Research Report, Tourism Market Research Report*, ANZSIC X0003, Oct 2014.

³³¹ Department of Tourism South Africa, *National Tourism Sector Strategy*, 2011, pp. 1-8.

that South Africa's reputation as a world-class tourism destination continues to grow."³³² The government works together with the Southern African Tourism Services Association (SATSA), a member-driven association that offers inbound tourism services of the highest level of quality in the tourism industry.³³³ SATSA strives to maintain three key qualities: credibility, value and authority. As an organisation, members undergo a strict admission process that ensures peace of mind for those who seek to do business with credible tourism partners. SATSA members are required to sign a strict Code of Conduct and are required to submit updated documentation annually. SATSA champions members' interests with government to ensure South Africa has a legislative and fiscal framework conducive to growing a sustainable tourism industry.³³⁴

The whole of Australia's government is working with the tourism industry to achieve Australia's tourism potential. Together they have worked on the 2020 Tourism Industry Potential. The Australian Government released this on 15 November 2010. It is Australia's national tourism strategy to enhance growth and competitiveness in the tourism industry by focusing on six strategic areas: growing demand from Asia; building a competitive digital capability; encouraging investment and implement regulatory reform agenda; ensuring tourism transport environment supports growth; increasing the supply of labour, skills and indigenous participation and building industry resilience, productivity and quality.³³⁵ Tourism 2020 integrates the National Long-Term Tourism Strategy with the growth aspirations of the 2020 Tourism Industry Potential. This strategy is endorsed by all state and territory tourism ministers. It brings the existing work, research and collaboration between industry and governments into a single plan, one that links tourism supply with demand.³³⁶ Austrade is the Australian Government agency responsible for a range of tourism policy, projects, programs and research to strengthen Australia's tourism industry and to grow Australia's tourism market share in a volatile and competitive global environment.³³⁷

³³² Department of Tourism, *SA tourism industry celebrates excellence. Products and services offered by the tourism industry are contributing to South Africa's growth, competitiveness and transformation*, 13 October 2014.

³³³ SATSA, 'Southern African Tourism Services Association Bonded', <<http://www.satsa.com/>>, s.a. Accessed: 20-10-2014.

³³⁴ *Ibid.*

³³⁵ Tourism Australia website, 'Tourism 2020. What is Tourism 2020?'

<<http://www.tourism.australia.com/statistics/tourism-2020.aspx>>, s.a. Accessed: 27-10-2014.

³³⁶ *Ibid.*

³³⁷ *Ibid.*

The Canadian government is working on developing the tourism industry into a collaboration between businesses: the transportation services which deliver visitors to and through their vast country; the hotels and other accommodations that provide them with comfort and hospitality once they arrive; and the attractions, which create the experiences and memories, the interpretation by tourist guides which compels visitors to come to Canada and return often. Canada's Federal Tourism Strategy sets out a new approach to strengthen Canada's tourism sector and helps it continue to make a significant contribution to the Canadian economy.³³⁸

The Canadian Tourism Strategy describes how federal departments and agencies will work together with the provinces and territories and the tourism industry to build on the country's numerous tourism advantages over a period of five years.³³⁹ According to the former Canadian Prime Minister Stephan Harper (2014),

The tourism industry that serves the people who visit our country is an important part of our economy. Indeed, the tourism industry supports businesses and workers in every region of our country, and many thousands of Canadians rely on tourism for their jobs and livelihoods. After consulting with the men and women who help to make Canada such a great place to visit, it became clear that a new federal tourism strategy was needed to better coordinate our efforts in support of the tourism sector.³⁴⁰

By taking into consideration the importance of tourism to South Africa, Canada and Australia it is also important to take note of the role tourism legislation plays within these respective countries. The importance of tourism is that it stimulates the economy. This is true for different regions across the globe. Tourism also brings culture from one area to another. Tourism laws are important in order to improve the promotion of tourism for the benefit of the nation or of a certain place. It can also help those people involved in an accident or any violation of human rights related with tourism to deal with it in a proper and fair way. It can also help them settle such things without consuming a large amount of time. As can be seen from Chapter 4, tourism history has great importance when it comes to tourism development. The reason for this is because history and what has happened in the past can

³³⁸ TIAC-AITC, *Gateway to growth. Canadian Tourism Industry Annual Report*, 2013, pp. 2-3.

³³⁹ Government of Canada, 'Supporting Tourism', <<https://www.ic.gc.ca/eic/site/034.nsf/eng/00213.html>>, s.a. Accessed: 27-10-2014.

³⁴⁰ *Ibid.*

help one to avoid mistakes that have been made. It can also help one to see what has worked in the past so that it can be incorporated into new plans. The following section will look at Jane Orde's tourist guiding document and how it is applied to this study. She essentially analysed tourist guiding associations within different countries by looking at their differences and similarities.

5.2. Jane Orde's analysis of tourist guiding

The countries chosen in the study done by Jane Orde were benchmarked against the following criteria (as indicated in Table 3 below). It is a document of an overview of the tourist guiding profession which provides information on tourist guide associations and membership, the organisation of tourist guides associations, qualifications required to become a tourist guide, conditions of work as a tourist guide within each country, fees and salary for tourist guides per day, and legal issues with regards to tourist guiding.

Firstly Orde set out to look at whether there is a legislative basis and if indeed so the basis is stated by providing a specific tourism act or tourism regulation as well as what institutional arrangements and systems (e.g. IT, Portals etc.) are set in place in each country?³⁴¹ Secondly, she analysed what the registration/entry process or criteria used by each country was.³⁴² Thirdly she discussed, "How the registration of tourist guides are handled in each country?"³⁴³ Fourthly she looked into whether, there is any prior training or education needed for a person to become a tourist guide within each of the countries and if there was any it was also stated in the table.³⁴⁴ Lastly she discussed, how each country monitored, regulated or managed their tourist guides.³⁴⁵

These criteria were measured against 61 countries which are members of the WFTGA. For the purpose of this study the data for South Africa, Canada and Australia was extracted from her study. The criteria used by Orde were adapted to determine to what extent legislation is being implemented within South Africa, Canada and Australia.

³⁴¹ ORDE, J. 'Analytical Table Adapted from Jane Orde's Guiding Document',
<<http://www.wftga.org/sites/default/files/imceuploads/documents/Jane%20Orde%20Document%202011.pdf>>, s.a.
Accessed: 23-05-2012.

³⁴² *Ibid.*

³⁴³ *Ibid.*

³⁴⁴ *Ibid.*

³⁴⁵ *Ibid.*

COUNTRY	SOUTH AFRICA	AUSTRALIA	CANADA
Association name	There are also tourist guiding associations per Province like; Gauteng Guide Association, Cape Town Guides Association, Kwazulu-Natal Tourist Guides' Association, Nelson Mandel Bay Tourist Guide Association, Off-Road Guides and Tour Operators of South Africa and Provincial Tour Guides Association of Battlefields Region.	The professional tour guide association of Australia. Established in 1985 to represent tour guides and tour managers in Victoria. Also part of guiding organisations Australia including (GOA). Institute of Australian tour guides. South Australian tourist guides association to cater for tour guides who work in south Australia. Tour guides western Australia Inc. The peak body for tour guides working in western Australia	Montréal- Association Professionnelle des Guides Touristique, Chapitre de Montréal (APGT-Montréal), Toronto- Canadian Tourist Guide Association of Toronto and British Columbia-British Columbia Chapter of Canadian Tourist Guide Association
Is licensing required?	Yes under <i>Tourism Act 72 of 1993</i> and the New Tourism Draft Bill represented by the national Department of Tourism. Registration on the Dept. of Tourisms (government)	No licensing, legislative, regulatory or certification requirements apply to this qualification at the time of endorsement.	Montréal, services licences based on the requirements of the Business Practices and Consumer Protection Act and the Travel Industry Regulation. Not Necessary to be register in Toronto.
Training by whom?	Yes, 3 years theory: 60% by private trainers and 40% is practical training by Qualified assessors. Training by accredited training providers. (Universities, colleges and private providers)	Different tourism institutions. PTGAA provides training for tourist guides	High School (University preferred). By Specialists, Tourist Guides. 240 hours of class time. 15 hours of research minimum required. IN BC Yes, guides are providing training with regards to interpretation skills etc., but it also depends on training facility.
Basic qualification	Guiding Associations associated with the National Department of Tourism. Grade 12 minimum Level 1 First Aid training.	Various standards of qualification. Guides of Australia Accreditation, act over the whole of Australia's tourist guides, and is administered by GOA. There are no educational requirements for this certificate. It will help you find work as tourist guide but it's not prerequisite.	High school is enough in some cases, but University training is preferred. No Qualification needed in BC. In Toronto there is a Min. of 10 hours with an established company
Certification: who is responsible?	Private Training Providers.	Many PTGAA members will have completed a Certificate III (or more) in a tour guiding related course. As a pre-requisite for membership, PTGAA guides are individually assessed and required at all times to hold a current certificate II (senior first aid) and a valid tour guide liability insurance to the value of 10 million.	Depends on the guiding associations. Certification and standards has been undertaken by 602 and EMERIT, both are sponsored by provincial government
Problems the guides are facing in the country	Illegal guiding, too many foreign tourist guides, no social security, and lack of mutual co-operation. Illegal guiding, Low fees/remuneration. Too many Guides. Lack of mutual Co-operation.	Illegal guiding is not a problem; government cannot force you to be qualified. Liability lies with the tourism business or company you work for. Majority of tourist guides work part time in Australia, accreditation is not compulsory because of extra fees involved.	Illegal guiding results in low fees/remuneration. Foreign Tour leaders, late payments, low fees, no social security.

Table 3: Analytical Table Adapted from Jane Orde's Guiding Document¹, January 2011

From: < <http://www.wftga.org/sites/default/files/imceuploads/documents/Jane%20Orde%20Document%202011.pdf> >

Furthermore, it shows how tourist guides are being regulated within South Africa, Canada and Australia. This Table presents a snapshot of the different tourist guiding associations within each country and how the legislation or regulations function.

Thus, by examining the legislative measurements set in place within South Africa, Canada and Australia it provides a better understanding of the regulations within each of the mentioned countries as well as the practical implications with regards to tourist guiding.

5.3. Tourism legislation within South Africa, Canada and Australia

Tourism legislation formulates a legal and regulatory framework for the sustainable development and management of tourism within a country. By implementing tourism legislation it provides protection and conservation of natural and cultural resources; and, facilitation of the involvement of private sector and local communities in tourism development activities. Tourism legislation reflects on the roles and responsibilities of all the important stakeholders in the tourism industry by ensuring the rights of international/local tourists and the rights and obligations of participating businesses, inbound-outbound tour operators and all other concerned players in the tourism industry.³⁴⁶ Taking this into consideration the former Minister of Tourism in South Africa, Marthinus van Schalkwyk, pointed out that legislation in general is important for two reasons:³⁴⁷

- I. It replaces the spontaneous creation and application of non-legislative rules, thereby establishing order in a sector;
- II. It is a prerequisite for society to develop and set rules that are enforceable and applicable for all, thereby creating an enabling environment for future development and growth.

Therefore it is essential to reflect on the current policy, legislative and strategic framework of the tourism sector in South Africa, Canada and Australia.³⁴⁸

By implementing tourism legislation a country can build consensus through the following by developing consistency with a national development policy and consistency with a national tourism

³⁴⁶ World Tourism Organisation UNWTO, 'Tourism Legislation and Regulation', <<http://www2.unwto.org/technical-product/tourism-legislation-and-regulation>>, s.a. Accessed: 15-10-2015.

³⁴⁷ *Ibid.*

³⁴⁸ S., Reynard, 'Tourism minister overhauls legislation with new Tourism Bill 2012', <<http://www.hotelandrestaurant.co.za/tourism/tourism-minister-overhauls-legislation-with-new-tourism-bill-2012/>>, 13-02-2013, Accessed: 15-10-2015.

policy. This will help to review existing legal regulations governing tourism development and review existing classification guidelines which affect the quality of tourism facilities and services and help identify gaps and constraints within the tourism industry. It will also identify legal issues, the different stakeholder groups and a range of legal tools available and help to address issues of tourism legislation enforcement. This will build in quality assurance and foster professionalism and help facilitate business development.³⁴⁹

In this section the different pieces of legislation within each of the mentioned countries will be discussed and compared to see how they relate to the regulation of tourist guiding within the tourism industry. As already mentioned in Chapter 2, for the purpose of this study the various acts³⁵⁰ will be used to see how tourist guiding legislation has developed. Therefore it is essential to reflect on the current policy, legislative and strategic framework of the tourism industry as it is implemented and enforced within South Africa, Canada and Australia.

The tourist guiding profession in South Africa saw its first legislative and regulatory basis emerge in December 2000 through the amendment of the *Tourism Act of 1993*, and the promulgation of the *Tourism Second Amendment Act 70 of 2000*.³⁵¹ This was achieved after a period of extensive and inclusive consultation which was aimed at: formalising the sector; creating a framework for its operations and transforming the sector by offering more people the opportunity to pursue a career in tourist guiding.³⁵² In South Africa the Department of Tourism engaged the Road Traffic Management Corporation to educate traffic officials throughout South Africa on how to enforce the legislation pertaining to tourist guides. The South African NDT will also be working closely with the Department of Transport with a view to ensuring enforcement of tourist-guiding issues relating to tour operators and related regulations in the *National Land Transport Act of 2009*.³⁵³ The Department wants industry bodies that are committed to growing the tourist guiding sector and elevating the profession to enter into formal agreements with stakeholder bodies that share the Department's vision.

³⁴⁹ World Tourism Organisation UNWTO, 'Tourism Legislation and Regulation', < <http://www2.unwto.org/technical-product/tourism-legislation-and-regulation>>, s.a. Accessed: 15-10-2015.

³⁵⁰ As displayed in Annexure A, B and C. These tables show the main legislation pertaining to tourist guiding in South Africa (Annexure A), Canada (annexure B and Australia (Annexure C).

³⁵¹ No. 1886 Government Gazette vol.426, *Tourism Second Amendment Act 70 of 2000*.

³⁵² A.M. Grundlingh, Revisiting the 'Old' South Africa': Excursions into South Africa's Tourist History under Apartheid, 1948-1990, *South African Historical Journal* 56, 2006, pp. 1-2.

³⁵³ Gauteng Guides Association, 'Gauteng Guides Association website', < <http://www.guidessa.org/?q=node/23>>, s.a., Accessed: 2014-07-10.

The Department undertook a process to review the “Regulations in Respect of Tourist Guiding.” This included wide consultations with tourist guides and key stakeholders throughout the country to improve existing processes and systems to register tourist guides and ensure compliance within the sector.³⁵⁴ The Department is working with the provinces to establish a centralised database of tourist guides. Once a viable database is in place, the Department will be able to engage the Departments of Home Affairs and Justice and Constitutional Development, and other relevant authorities to ensure that the information received from the provinces is subjected to a vetting process as prescribed in the *Tourism Act 3 of 2014* to ensure that information about the sector is accurate and of high standard.³⁵⁵

South Africa’s tourism legislation actually began with the implementation of the *Tourist Development Corporations Act 15 of 1938* and has slowly developed and changed over the years. One of the important reasons for this was that South Africa was a long-haul destination, which for the majority of potential tourists meant a two-week sea journey, thus making it a costly journey as well. Another consideration was that the South African state had far more demanding priorities, which needed their attention. The consolidation of Afrikaner power and the early shaping of apartheid policies took precedence over the development of tourism and tourism policies, and there were only a few attempts to actually attract overseas visitors.³⁵⁶ The South African *Tourism Corporations Act 54 of 1947*³⁵⁷ together with the *South African Tourism Board Act 100 of 1983*³⁵⁸ led to the development of the *Tourism Act 72 of 1993* which specifically relates to tourist guiding legislation and the establishment of a tourism board.³⁵⁹ Grundlingh explains that the lack of the number of explicit historical contributions stands in contradistinction to the increasing work on the geographic patterns, economics and development of tourism and tourism legislation in South Africa since 1990. The considerable increase in the movement of people during this time had the effect of alerting the South African authorities to the growing importance of upgrading tourist policy.³⁶⁰

³⁵⁴ No. 32110 Government Gazette vol. 526, *National Land Transport Act of 2009*.

³⁵⁵ South African Government Website, ‘Minister calls on tourists to use registered tour guides only’, <<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=16086&tid=27819>>, s.a. Accessed: 2011-06-21.

³⁵⁶ P.H.G. Vrancken, The national legal framework of Tourism: Past, Present and Future, *Stellenbosch Law review* vol. 10 (2000), pp. 85-98.

³⁵⁷ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

³⁵⁸ A.M. Grundlingh, Revisiting the ‘Old’ South Africa’: Excursions into South Africa’s Tourist History under Apartheid, 1948-1990, *South African Historical Journal* 56, 2006, pp. 1-2.

³⁵⁹ P.H.G. Vrancken, The national legal framework of Tourism: Past, Present and Future, *Stellenbosch Law review* vol. 10 (2000), pp. 85-98.

³⁶⁰ *Ibid.*

As was discussed in Chapter 4 the major tourism developments augured well for an increase in tourism in South Africa, as the government, which appeared to be firmly in charge, was more confident in broadening its range of overseas connections. In South Africa, the Department of Tourism tried to keep parts of what was established and achieved with the *Tourism Act 72 of 1993*, even though they repealed the *Act* by implementing the new *Tourism Act 3 of 2014*. It is already clear in the aims of the *Tourism Act 3 of 2014*, that the continued development of tourism is important for the economy.³⁶¹ The *Tourism Act of 2014* provides for the development and promotion of sustainable tourism for the benefit of South Africa, its residents and its visitors. It also provides for the continued existence of the South African Tourism Board, the establishment of the Tourism Grading Council, and the regulation of the tourist guide profession, among other things.³⁶² Furthermore, it is clear that the promotion of tourism in South Africa is important, but also the promotion of tourism to the foreign visitors to South Africa. In addition, the *Tourism Act 3 of 2014* still focuses on the more responsible forms of tourism, which will help South Africa benefit socially, economically and environmentally. The *Tourism Act 72 of 1993* also makes provision for these aspects. The new *Tourism Act 3 of 2014* will ensure the continued existence of the Tourism Board.³⁶³ This *Act* was essentially implemented to regulate tourist guides operating in South Africa.

While in Canada the *Travel and Tourism Act, RSNWT (Nu) 1988, c T-7* or the *Travel and Tourism Act*³⁶⁴ as it is known, relates to outfitters and tourist guides with recommendations on the licenses needed and the requirements to act as an outfitter or a tourist guide within Canada. The *Travel and Tourism Act (1988)* provides for the inspection of tourist guiding establishments and outfitters by providing for the issuing of permits to construct, enlarge or occupy tourist establishments or to move tourist establishments to new locations. It also permits non-residents to engage in an outdoor recreational activity in a Travel Restricted Area. The *Travel and Tourism Act* also allows for licences to operate tourist establishments within designated areas for which a person is required to obtain a permit to construct a tourist establishment. The *Travel and Tourism Act (1988)* also prescribes recommendations regarding the renewal, transfer, suspension or cancellation of permits and licences. It allows for the conducting, training and registration of tourist guides and the issuing of licences to guides.³⁶⁵

³⁶¹ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

³⁶² *Ibid.*

³⁶³ *Ibid.*

³⁶⁴ Northwest Territories Statutes, R.S.N.W.T. 1988, c.127 (Supp.), January 15, 1992, *Travel and Tourism Act*.

³⁶⁵ *Ibid.*

The Canadian *Outfitter and Guide Regulation of 1988*, relates to outfitters and tourist guides working at tourism establishments as interpreters. It gives specific guidelines of what the duties and responsibilities of a tourist guide or outfitter are within the tourism industry. It also gives an explanation of the term “interpretation” and what it means with regards to tourist guides and outfitters.³⁶⁶ The *Business Practices and Consumer Protection Act*³⁶⁷ (also known as the *Travel Industry Regulations*), states the requirements for a license to become a travel agent or travel wholesaler, sightseeing or tourist guide or any other person providing a service within the tourism industry. It furthermore stipulates to whom the *Act* applies and why these persons need the different licences indicated in the *Act*. It makes recommendations about ages, accommodation, transport and licensing fees that apply to the different people mentioned in the *Act*. It also gives the duration and terms of the required licences issued by the director.³⁶⁸ The *Act* states that British Columbia travel agencies and travel wholesalers are licensed under the authority of the *Business Practices and Consumer Protection Act*.³⁶⁹ This *Act* prohibits unfair practices, sets out the requirements for certain consumer contracts and provides licensing requirements for certain regulated businesses. The *Act* protects consumers by standardizing contract terms, clarifying cancellation rights and ensuring that penalties for infractions are applied consistently across industries. The *Act* also addresses new areas of consumer law, like internet sales, to harmonize with other Canadian jurisdictions.³⁷⁰

In Canada, Montréal and Québec are the only two cities in which tourist guides need to be licensed, after having obtained a certificate. The *By-Law G-2 Concerning Tourist Guides*, clearly states that only a qualified licensed guide may conduct a tour in Montréal; and the permit must be renewed annually. The APGT, together with its employers and the Greater Montréal Convention, Québec Tourism Development and Major Events Office and Tourism Bureau, promotes the use of licensed tourist guides as stipulated in the *By-Law G-2 Concerning Tourist Guides*.³⁷¹ In 1960 the City of Montréal adopted the *By-Law* regulating the tourist guide profession.³⁷²

³⁶⁶ Northwest Territories Statutes, R.S.N.W.T. 1988, c.127 (Supp.), January 15, 1992, *Travel and Tourism Act*.

³⁶⁷ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

³⁶⁸ *Ibid.*

³⁶⁹ *Ibid.*

³⁷⁰ *Ibid.*

³⁷¹ Ordinance No 2, 16 June 1986, *By-Law G-2 Concerning Tourist Guides*.

³⁷² APTG-Montreal, “Association Professionnelle des guides Touristique Chapitre de Montreal website”,

<<http://www.apgt.ca/en/>>, s.a., Accessed: 2014-07-10.

However in Australia the *Queensland Tourism Services Regulation of 2003*³⁷³ was set in place to protect Queensland's tourism industry by ensuring all inbound tour operators and tour guides operate in an ethical and professional way, and in the best interests of tourist visiting Australia. Although the name of the *Act* suggests it is Queensland's tourism act, it also corresponds with laws of other states or other territories in Australia. The *Act* provides more or less for the same matter as the *Fair Trading Act* (1989)³⁷⁴, the *Travel Agents Act* (1988),³⁷⁵ the *Competition and Consumer Act* (2010)³⁷⁶ and the *Trade Practices Act* (1974).³⁷⁷ The *Queensland Tourism Services Regulation of* (2003) makes provision for a Tourism Commissioner whom may grant or renew registration of tourist guides. The *Act* makes reference to payment, accommodation, flights or food within Australia for tourist guides. The *Act* is not used as enforcement, it is rather a guideline for tourist guides.³⁷⁸ The main purpose of this *Act* is to provide for fair trading in the tourism industry by establishing a registration system for inbound tour operator and tourist guides by providing a code of conduct. This includes the setting of minimum standards for carrying on the business of an inbound tour operators or tourist guides and it also prohibits unconscionable conduct by inbound tour operators and tourist guides by promoting sound business practices.³⁷⁹ The *Tourism Services Bill* (2003) is also cited as the *Tourism Services Act* (2003). This states that it binds all persons including the State (Queensland) and, as far as the legislative power of the Parliament permits, the Commonwealth and the other States within Australia. Although the *Act* clearly states in (2) Subsection (1), that it does not make the State, the Commonwealth or another State liable to be prosecuted for an offence or proceeded against for a

³⁷³ Queensland Government, *Tourism Services Act 61 of 2003*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁷⁴ Queensland Government, *Fair Trading Act of 1989*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁷⁵ Queensland Government, *Travel Agents Act of 1988*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁷⁶ Queensland Government, *Competition and Consumer Act of 2010*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁷⁷ Queensland Government, *Trade Practices Act of 1974*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁷⁸ Queensland Government, *Tourism Services Act 61 of 2003*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁷⁹ Queensland Government, *Travel Agents Act of 1988*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

relevant contravention.³⁸⁰ The main purpose of *Tourism Services Act 2003* is more or less the same as the *Queensland Tourism Services Regulation of 2003* as it also makes provision for fair trading in the tourism industry.³⁸¹

Thus tourist guides are not necessarily regulated by law in Australia, but do however have to also abide by standard business legislation implemented by employers.³⁸² As a tourism business it will be expected of tourist guides to comply with standard business legislation, such as the *Fair Trading Act 1989*³⁸³ and the *Work Health and Safety Act 2011*.³⁸⁴ There is also the important environmental legislation which needs to be taken into consideration, depending on where the tourist guide operates, it may also be required to comply with, the *Nature Conservation Act 1992*³⁸⁵ and the *Marine Parks Act 2004*.³⁸⁶ Tourist guides also need to be aware of other state and federal laws which apply to trade and business activity and what the necessary requirements are that apply to individual businesses. The Australian Business Licence and Information Service (ABLIS)³⁸⁷ is a useful starting point. Section 12 of the Act makes Inbound Tour Operators responsible for the Tourist Guiding service.³⁸⁸ The Guiding Organisation of Australia (GOA) is an organisation that handles the accreditation of

³⁸⁰ Queensland Government, *Tourism Services Bill 2003*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁸¹ Queensland Government, *Tourism Services Act 61 of 2003*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁸² PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

³⁸³ Queensland Government, *Fair Trading Act of 1989*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁸⁴ Queensland Government, *Work Health and Safety Act of 2011*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁸⁵ Queensland Government, *Nature Conservation Act of 1992*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁸⁶ Queensland Government, *Marine Parks Act of 2004*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10

³⁸⁷ ABLIS, 'Australian Business Licence and Information Service website', <<https://ablis.business.gov.au/pages/home.aspx>>, s.a. Accessed: 2014-07-10.

³⁸⁸ Queensland Government, *Tourism Services Act 61 of 2003*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

tourist guides on behalf of guiding organisations and associations. It accredits based on certification, but more importantly, on experience.³⁸⁹

5.4. Tourist guiding legislation in South Africa, Canada and Australia

In the case of South Africa, the new *Tourism Act 3 of 2014* will be discussed and how it was reviewed and adapted to better suit the South African tourism industry. The *Tourism Act 3 of 2014* is as mentioned an extension of the *Tourism Act 72 of 1993*.³⁹⁰ While Canada has the *Travel and Tourism Act, RSNWT (Nu) 1988*, the *Outfitter and Guide Regulations, 1988*, the *Business Practices and Consumer Protection Act* and specifically the *By-Law G-2* concerning tourist guides.³⁹¹ Furthermore, in the case of Australia it is important to look at the *Queensland Tourism Services Regulation of 2003*, the *Tourism Services Bill 2003*, and the *Australia Tourism Act 74 of 2004*. All of these tourism Acts relate to tourist guides and the way in which they operate. However, there are also certain amendment acts and other import regulations pertaining to tourist guiding within each of the mentioned countries, which can have an effect on the regulation of tourist guides. This section of the dissertation will look at the tourism acts indicated in the Tables of Annexure A, B and C, but also the other regulations that each of the mentioned countries set in place specifically for tourist guides.

In the South African tourism legislation section 1 provides various important definitions of terms that are used in the *Tourism Act 3 of 2014*. It helps to understand some of the new terms used.³⁹² Section 2 provides the objectives of the *Tourism Act 3 of 2014*, some of which relate to the objects of the *Tourism Act 72 of 1993*. It makes provision for the promotion of tourism for the benefit and enjoyment of all South African citizens and foreign visitors. It also makes provision for effective domestic and international marketing of South Africa as a tourist destination. The *Tourism Act 3 of 2014* also promotes quality tourism products and services. The growth, development and transformation of the tourism sector is flagged as important and furthermore, the co-operation and co-ordination of all spheres of government responsible for developing and managing the tourism industry.³⁹³ In Montréal where tourist guides are licensed, the by-law clearly states that only a qualified licensed guide may conduct a tour in Montréal; and the permit granted must be renewed

³⁸⁹ Queensland Government, *Tourism Services Act 61 of 2003*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁹⁰ See Annexure A for sections of these tourism Acts relating to tourist guiding in South Africa.

³⁹¹ See Annexure A for sections of these tourism Acts relating to tourist guiding in Canada.

³⁹² No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

³⁹³ *Ibid.*

annually. The APGT, together with its employers and the Greater Montréal Convention and Tourism Bureau, promotes the use of licensed tourist guides.³⁹⁴ As already mentioned the *Tourism Services Act* (2003) of Australia's main purpose is to provide for fair trading in the tourism services industry by establishing a registration system for inbound tour operators; and providing for codes of conduct for inbound tour operators and tour guides including the setting of minimum standards for carrying on the business of an inbound tour operator; or tour guides; and prohibiting unconscionable conduct by inbound tour operators and tour guides; and promoting sound business practices by inbound tour operators and tour guides.³⁹⁵

Chapter 1 of the South African *Tourism Act 3 of 2014*, focuses on the National Tourism sector and makes provision for the establishment of a “national strategy”, which will have certain norms, standards and codes of good tourism practices. It states that the Minister may give notices in the gazette after a consultation process, for the establishment of such a strategy promoting the objects of this *Tourism Act 3 of 2014*. The strategy must provide objectives, indicators, targets, plans, guidelines and procedures for the further development and promotion of the tourism industry. By giving a proposed National Strategy, the Minister can involve the public in making additions or changes by following the necessary steps. The *Tourism Act 3 of 2014* will help to monitor the tourism industry, by establishing national tourism information and monitoring systems. This will ensure that the Department can keep up with development and trends in tourism. They will gather information and help make regulations in the South African tourism industry. This information will be shared with the public for the purpose of planning, developing, and maintaining a database to help tourism businesses benefit. This will also help with the opening of new tourism businesses by providing them with guidelines. Furthermore, norms and standards will help guide the tourism industry in providing responsible tourism ventures, service excellence and to promote the achievement of the objectives set out in the *Tourism Act 3 of 2014*.³⁹⁶ While *Tourism Services Act* (2003) of Australia, binds all persons including the State and, as far as the legislative power of the Parliament permits, the Commonwealth and the other States. However, Subsection (1) of the *Tourism Services Act* (2003)

³⁹⁴ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

³⁹⁵ Queensland Government, *Tourism Services Act 61 of 2003*,
<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁹⁶ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

does not make the State, the Commonwealth or another State liable to be prosecuted for an offence or proceeded against for a relevant contravention.³⁹⁷

The *Tourism Act 3 of 2014* makes provision for ‘Codes of good practice’ in Tourism, which will be published in the Gazette and they must adhere to the objectives set out in this *Act*.³⁹⁸ While in Australia, the *Queensland Tourism Services Regulation of 2003* clearly states that tourist guides can still be a tourist guide without being paid in any way but do the work to gain experience as a tourist guide.³⁹⁹ The *Act* sets out what guiding services include: the accompanying of tourists, doing something else for them (such as translating), giving tourists information or advising them, or coordinating tours for them or leading their activities.⁴⁰⁰ The *Act* states that tourist guides and tour operators must adhere to an enforceable ‘Code of Conduct’.⁴⁰¹ Within Sections 5, 7, 9, 10, 35, 36, 37, 78, 79, 80, Schedule 2 of the *Tourism Services Regulation (2003)*, a regulation may prescribe a ‘code of conduct’ for inbound tour operators, and a ‘code of conduct’ for tourist guides, relating to supplying services to tourists. A person aggrieved by the conduct of another person who is carrying on the business of an inbound tour operator or who is a tourist guide may apply to the District Court for an injunction against that other person. The permissible grounds for an application are found in section 74 of the *Act*. A person aggrieved by another person’s conduct that the person believes contravenes this *Act* may make a written or oral complaint to the government.⁴⁰² It however appear that tourist guides in Canada does not have a ‘Code of Conduct’ enforced by implemented tourism legislation. In Canada the ‘Code of Conduct’ is regulated by tourist guiding associations with in each region.

The *Tourism Act 3 of 2014* will also continue to ensure National Quality Assurance and the Grading System of services and products. This will help maintain excellence in services and products, and

³⁹⁷ Queensland Government, *Tourism Services Act 61 of 2003*,
<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

³⁹⁸ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

³⁹⁹ Queensland Government, *Tourism Services Act 61 of 2003*,
<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴⁰⁰ *Ibid.*

⁴⁰¹ *Ibid.*

⁴⁰² Queensland Government, *Tourism Services Act 61 of 2003*,
<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

help differentiate and classify tourism services and products. The Grading System will still be according to the Star Grading System established by the *Tourism Act 72 of 1993*. The Tourism Grading Council of South Africa will perform the objectives and roles set out in the *Act*.⁴⁰³ In Canada the *By-Law G-2* stipulates that the director of the Service du développement économique may require that tourist guides who, before August 30, 1984, held a tourist guide permit under the *By-law* concerning tourist guides (2519), needs to pass a qualifying examination whose conditions he determines. No person who fails that examination may have his permit renewed. However, a new permit may be obtained by complying with the provisions of article 7 of the *By-Law G-2*.⁴⁰⁴ Furthermore it stipulates that under Section 12, the executive committee may, by ordinance designate the institutions authorized to issue tourist guide certificates of qualification; set the eligibility and other terms and conditions governing tourist guide courses and examinations, examination subject matter, applicant evaluation criteria, and procedure to obtain related certificates; provide periodic retraining courses for tourist guides, and set their terms and conditions; establish a tourist guide language proficiency evaluation method; plan guided tours; require that tourist guides file their fee schedule or set their fees.⁴⁰⁵ In Australia there does not appear to be regulations specific to this aspect of a grading system.

Chapter 3 states that the South African Tourism Board will continue to exist under the *Tourism Act 3 of 2014*. It will exercise its powers and perform its functions in accordance with the provision of this *Act*. Furthermore, the *Act* makes provision for *The Public Finance Management Act of 1999* to apply to the roles and functions of the Board.⁴⁰⁶ The Canadian, *Travel and Tourism Act, RSNWT (Nu) of 1988, c T-7*, stipulates that the Tourism Training and Employment Needs will establish a Board; this Board will be established under subsection 9(1) of this *Act*. This Board will be called the Tourism Training and Employment Needs Board. Like in South Africa the Board will make recommendations to the Minister designating a tourist occupation as being suitable for training and respecting the certification of persons in a designated tourism occupation; make recommendations and review recommendations made to the Board with respect to the training, examination and certification of persons in designated tourism occupations; and perform the duties that the Minister assigns.⁴⁰⁷ In Australia there does not appear to be regulations specific to this aspect of an established tourism Board.

⁴⁰³ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

⁴⁰⁴ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

⁴⁰⁵ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

⁴⁰⁶ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

⁴⁰⁷ Northwest Territories Statutes, R.S.N.W.T. 1988, c.127 (Supp.), January 15, 1992, *Travel and Tourism Act*.

Chapter 5 of the new South African *Tourism Act 3 of 2014* makes provision for the first time for the establishment of a Tourism Protector, which will be suitably qualified. The Tourism Protector may on own initiatives or in response to a proposal from persons conducting business within the tourism sector make recommendations to the Minister about accreditation and resolve complaints.⁴⁰⁸ In terms of the *Tourism Services Regulation 2003*, it makes relations with *Fair Trading Inspectors Act of 2014*, by enacting common provisions for this *Act* and particular other *Acts* about fair-trading. But also, unless this *Act* otherwise provides in relation to the *Fair Trading Inspectors Act*, the powers that an inspector has under that *Act* are in addition to and do not limit any powers the inspector may have under this *Act*. In this section, “inspector” means a person who holds office under the *Fair Trading Inspectors Act* as an inspector for this *Act*.⁴⁰⁹ The Tourism Commissioner in Australia has to keep register of the registered tourist guides. The Commissioner may delegate the commissioner’s powers under this *Act* to an appropriately qualified officer of the department in which the *Fair Trading Act of 1989* is administered; or appointed under that *Act*. In this section, “appropriately qualified” includes having the qualifications, experience or standing appropriate to exercise the power.⁴¹⁰ An equivalent to this position fulfilled in South Africa and Australia, does not seem to be present in Canada. The Canadian Tourism Commission is Canada's national tourism marketing organization working in collaboration with the Canadian private sector, international travel trade, meeting professionals, and the governments of Canada. It does not seem to make provision for a protector or inspector to keep register of tourist guides in Canada.⁴¹¹

Chapter 6 of the South African *Tourism Act 3 of 2014* focuses on the registration, functions and roles of the tourist guide at national and provincial level. This is based mostly on the principle set out in Section 21 of the *Tourism Act 72 of 1993*. It sets out the necessary procedure of registration of tourist guides. It also makes provision for a suitably qualified officer as National Registrar of Tourist guides

⁴⁰⁸ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

⁴⁰⁹ Queensland Government, *Tourism Services Act 61 of 2003*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴¹⁰ Queensland Government, *Tourism Services Act 61 of 2003*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴¹¹ Government of Canada, ‘Supporting Tourism’, <<https://www.ic.gc.ca/eic/site/034.nsf/eng/00213.html>>, s.a. Accessed: 27-10-2014.

but also a Provincial Registrar of Tourist Guides. It indicates the competence, code of ethics and necessary steps to lodge complaints. There is also a section on disqualification of tourist guides and what necessary steps will be taken in the case of misconduct. Furthermore, it also makes provision for appeals and reviews the prohibitions relevant to the tourist guides. Section 42 makes provision for the settlement of disputes between the National Registrar and the Provincial Registrar.⁴¹² However in Australia, the *Australia Tourism Act 74 of 2004*,⁴¹³ is an Act to establish Tourism Australia, and for related purposes. This Act originated from the *Tourism Australia Bill 2004*.⁴¹⁴ The *Tourism Services Regulation (2003)* stipulates that a person may apply in the approved form to the government for registration as an inbound tour operator or tourist guide. If registration is granted, it is not transferable.⁴¹⁵

Chapter 8 of the South African legislation makes provision for general information about the *Tourism Act 3 of 2014*, the penalties and offences made by any person which supplies the tourism sector with services and products. There is also provision made for the delegation of powers and functions in Section 44. This relates to the Minister and the Director-General of the Department of Tourism.⁴¹⁶ In Section 13, 14 and 15 of the *By-Law G2* of Canada, it clearly stipulates that a peace officer or city agent who believes on reasonable grounds that a person not holding the permit provided for in this *By-law* acts as a tourist guide may order that person to immediately cease all activities. Any person, who fails to comply with the order of a peace officer or city agent, or resumes work after having stopped, contravenes this *By-law*. Any person who contravenes this *By-law* is guilty of an offence and is liable to a fine. A tourist guide who has been convicted of two offences under this by-law in the same year loses the right to renew his permit for a period of one year following the one during which he was found guilty of a second offence.⁴¹⁷ The Australian *Tourism Services Regulation (2003)* makes reference to the procedures for penalties and offences by the tourist guide in Part 12 from

⁴¹² No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

⁴¹³ Queensland Government, *Tourism Services Act 61 of 2003*,
<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴¹⁴ Queensland Government, *Tourism Services Bill 2003*, <<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴¹⁵ Queensland Government, *Tourism Services Act 61 of 2003*,
<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴¹⁶ No.37538 Government Gazette vol. 586, *Tourism Act 3 of 2014*.

⁴¹⁷ BC Laws site, Jun 1, 2013, *Business Practices and Consumer Protection Act*, SBC 2004.

Section 86. A proceeding for an offence against this Act must be taken in a summary way under the *Justices Act of 1886*.⁴¹⁸

While there is obvious exclusionary elements of tourism legislation, which skewed the tourist guide's endeavours, a relatively sophisticated tourist infrastructure is established by the implementation of tourism legislation within South Africa, Canada and to a lesser degree Australia.

5.5. Tourist guiding associations within South Africa, Canada and Australia

Each country's government is responsible to exercise considerable power over citizens and other institutions within a framework of law.⁴¹⁹ Government, together with tourism institutions such as tourist guiding associations, are appointed to enforce tourism legislation implemented within each country. The role of government and these associations within the tourism industry, as in other fields, has evolved over time and continues to evolve. This relationship helps organise and regulate guides in towns, regions and the country in which they operate. These associations are established to professionalise tourist guiding accreditation and industry training. They act as advisory bodies for the tourist guides and they also promote co-operation between tourist guides and tourism authorities.⁴²⁰

As has been made evident, tourist guides constitute a vital link between the tourists and the country's tourist attraction sites. Due to the unique position that they occupy in the tourism value chain tourist guides, enhance the tourists' experience and perception of the richness and diversity of the cultural and natural heritage through their commentary and interpretation. The professionalism, service quality and excellence of registered tourist guides elevate a country's competitiveness as a must-see tourist destination.⁴²¹ Thus it is also important to take note of the various tourist guide association within South Africa, Canada and Australia.

⁴¹⁸ Queensland Government, *Tourism Services Act 61 of 2003*,

<<https://www.business.qld.gov.au/industry/tourism/support-for-tourism-operators/support-for-tourism-businesses/licences-permits-legislation>>, s.a. Accessed: 2014-07-10.

⁴¹⁹ A.J. Veal, *Leisure and Tourism Policy and Planning*, p. 1.

⁴²⁰ World Federation of Tourist Guide Associations, 'What is a Tourist Guide' <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 2012-04-26.

⁴²¹ B. Rabotić, *Tourist Guides in Contemporary Tourism, International conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 2-3.

The WFTGA, came into being as a result of proposals put forward at the first International Convention of Tourist Guides, in February 1985. The WFTGA was originally registered as a non-profit organisation under Austrian law after a second Convention held in Vienna in 1987. The WFTGA is still a non-profit and non-political association bringing tourist guiding associations; individual tourist guides where no association exists; tourism partners of both the WFTGA and member associations; educational institutes in tourism for tourist guides; convention and visitors bureaux and affiliate members who have direct or indirect association with tourist guides together from around the world. At each international convention the WFTGA grew and today the organization has members from more than 70 countries, representing well over 200,000 individual tourist guides, including the three countries selected for this study. WFTGA has established an international network of professional tourist guides and today is the only global forum for tourist guides.⁴²²

The WFTGA's main purpose is to promote, market and ensure that tourist guides are recognised as the ambassadors of a region. It is stated that they are the first and sometimes the only representation of the population a visitor will meet. WFTGA offers services to their members, but also communicates to those in search of the services of professional area specific tourist guides and where to hire them. The WFTGA also actively promote members' associations and industry partners worldwide. South Africa, Canada and Australia are all members of WFTGA.⁴²³

It is important for tourist guides in South Africa, Canada and Australia to form a tourist guiding association, where tourist guides can become members and get guidance about tourist guiding within the country. According to the WFTGA the following reasons are important to consider when starting a tourist guiding association.⁴²⁴ Firstly, a tourist guiding association will help to achieve legal and professional status recognition for tourist guides in their country of operating. Therefore, the tourist guiding association is a recognised official association, enjoying the legal and professional status awarded to other professional bodies under the law of each of the mentioned countries of this study.⁴²⁵ Secondly, a tourist guiding association brings forward a group of professionally trained tourist guides

⁴²² World Federation of Tourist Guide Associations, 'What is a Tourist Guide', <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15 October 2012.

⁴²³ ORDE, J. 'Analytical Table Adapted from Jane Orde's Guiding Document', <<http://www.wftga.org/sites/default/files/imceuploads/documents/Jane%20Orde%20Document%202011.pdf>>, s.a. Accessed: 23-05-2012.

⁴²⁴ World Federation of Tourist Guide Associations, 'What is a Tourist Guide', <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15 October 2012.

⁴²⁵ *Ibid.*

working within the same town, region or country. By being part of a tourist guiding association tourist guides receive training according to the standards set out by the country, ensuring that their guiding services are professional.⁴²⁶ Thirdly, a tourist guiding association acts as the spokesperson for the majority of tourist guides in order to promote the professional, economic, and social standing and interests of all registered tourist guides within the country. Thus, the tourist guiding association will be able to negotiate, on behalf of its members.⁴²⁷ Fourthly, it can help to promote co-operation between tourist guides, other individuals and bodies involved in tourism and local authorities, in order to promote a well organised tourism industry, and upgrade the service offered to tourists in the country. Furthermore, the association will help to provide a body with which tourist boards and local authorities can co-operate in raising the quality of tourism service offered by tourist guides in the country.⁴²⁸ Fifthly, it can also help to improve and enhance the professional training of tourist guides. Where applicable the tourist guiding association can prompt tourist authorities to train and examine tourist guides within their country. Thus, the association can be seen as an organised body to have a say in the selection, training and examination of recognised standards of tourist guides.⁴²⁹ Sixthly, the tourist guiding association is there to represent all tourist guides in international organisations, federations and other professional tourism bodies with the country's tourism industry.⁴³⁰ Seventhly, tourist guiding association can through the WFTGA, have access to a source of information on tourist guiding training and registration elsewhere and assistance with setting up a registration system for the country's tourist guides.⁴³¹ Eighthly, the tourist guiding association can help to organise various functions and other activities for tourist guides within the country. This is done by providing the country with an immediate source of suitable tourist guides for VIP visitors, conferences and other special tours.⁴³² Lastly, the tourist guiding association is a professionally organised association that is un-political and works on a non-profit basis. Depending on local circumstances within the country, the association may be affiliated to a trade union.⁴³³

⁴²⁶ World Federation of Tourist Guide Associations, 'What is a Tourist Guide', <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15 October 2012.

⁴²⁷ *Ibid.*

⁴²⁸ *Ibid.*

⁴²⁹ *Ibid.*

⁴³⁰ *Ibid.*

⁴³¹ *Ibid.*

⁴³² *Ibid.*

⁴³³ *Ibid.*

In South Africa there is the National Tourist Guide Association of South Africa (NTGA) and Federation of South African Tourist Guide Association (FSATGA).⁴³⁴ However, there are also tourist guiding associations in each province like: Gauteng Guide Association, Cape Town Guides Association, Kwazulu-Natal Tourist Guides' Association, Nelson Mandela Bay Tourist Guide Association, Off-Road Guides and Tour Operators of South Africa and Provincial Tour Guides Association of Battlefields Region.⁴³⁵ The NTGA is the main tourist guiding association representing tourist guides within South Africa. The NTGA has the main legal status as a corporate body under the common law (under the *Tourism Act 3 of 2014*) of the Republic of South Africa. The laws of the Republic of South Africa shall govern the constitution and the rights and obligations of members of the NTGA.⁴³⁶ The NTGA is the tourist guiding fraternity and believes that the South African tourism sector is a key economic and social engine of development, which requires a strong tourist guiding thrust to ensure rightful and responsible tourism growth and transformation. To achieve this, the NDT of South Africa proclaimed that tourist guiding has to be elevated to a national priority as a profession and sector to impact meaningfully on the tourism value chain. Thus making the tourist guiding fraternity to be fully recognised and represented as a leading stakeholder in the development of tourism in South Africa, providing tourist guides with the necessary support and also to allow for the establishment of a national body to represent the interest and values of professional and effective guiding for South Africa as destination. To this effect a national independent body should be established based on strong provincial and regional formations of the tourist guiding fraternity. Such tourist guides, whatever their specialisation, shall be included in terms of a constitution and the definition of the *Tourism Act of 2014*, the *Tourism Act 3 of 1999*, the *Tourism 2nd Amendment Act of 2000* of South Africa, and any subsequent amendments.⁴³⁷

Furthermore, the NTGA of South Africa interacts and engages with the government, the international tourism family, stakeholders and private business as an equal partner, towards achieving synergy for a national tourism culture, policy and strategy for South Africa as a tourist destination. It is the objective of the NTGA to be a unified body representing all tourist guides, to which government and industry can both refer to, and negotiate with, on all matters relating to the tourist guiding sector. Furthermore, the NTGA is committed to the transformation of the tourist guiding profession to

⁴³⁴ World Federation of Tourist Guide Associations, 'What is a Tourist Guide', <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15 October 2012.

⁴³⁵ FGASA, 'Field Guides Association of South Africa', <<http://www.fgasa.co.za>>, s.a. Accessed: 2011-11-23.

⁴³⁶ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁴³⁷ *Ibid.*

empower historically disadvantaged individuals and communities, mindful of the need for sustainability and of protection of culture and an ethos of professionalism. The NTGA helps negotiate and implement opportunities for job creation; promotes mentoring schemes and fast-track procedures for previously disadvantaged individuals in the country. It is also the responsibility of the NTGA to deepen the value chain in tourism by working with government, trainers, employers and service providers in raising the profile of registered tourist guides, to increase the level of satisfaction amongst service users and thus South Africa as a preferred tourist destination. Furthermore, the NTGA will offer its members on-going opportunities with monitoring of high standards of quality in training, education, professional development within the South African tourism industry. The NTGA will provide tourist guides with a channel through which members can gain access to services, resources and donors giving opportunity for assistance for small to medium size enterprises. The NTGA will offer an integrated forum for investment providers and business advisers to access tourist guides at grass-roots level and vice-versa. The NTGA will also be responsible for providing its members benefits including conciliation services; collective representation to government and employers; remuneration and basic conditions of employment; negotiations, preferential professional insurance and medical aid rates.⁴³⁸

The NTGA consists of three hierarchical structures and levels of governance: firstly, the national structure and level of operation; secondly, the provincial structure and level of operation which shall be defined as a provincial association; and lastly the regional structure and level of operation which shall be defined as tourist guide chapters within a province.⁴³⁹

In South Africa, for example, the Cape Tourist Guides Association acts as a pressure group, as a consultative body on matters concerning tourist guiding and provides constant professional updating to its members supplied through a programme of talks, workshops, newsletters and site inspections. Cape Tourist Guides Association members are kept updated on current information and new issues relating to the tourism and tourist guiding sectors in South Africa. The Cape Tourist Guides Association represents a significant number of registered tourist guides with diverse backgrounds, interests, geographic locations and languages in the Western Cape. Members range from those legally accredited to guide at a particular site or limited geographic area, to those who guide several provinces, to some who have the coveted “National Accreditation” allowing them to guide throughout

⁴³⁸ Gauteng Guides Association, ‘Gauteng Guides Association website’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁴³⁹ *Ibid.*

South Africa. The Cape Tourist Guides Association is membership-based and functions through an Executive Committee made up of members holding different portfolios. They give freely of their time and provide support and advice to the members on both Cape Tourist Guides Association policy and day-to-day issues. Members of the Committee represent the Cape Tourist Guides Association and tourist guiding community in various governmental and quasi-governmental bodies.⁴⁴⁰

As regards Canada, the International Guide Academy (IGA) has a website helping tourist guides who want to work in Canada. The company was founded in 1973, and is the most trusted training school of choice for motivated and knowledgeable professional people, offering tourist guide certification programs. The IGA offers training for certified world-class instructors, giving tourist guides a choice of multiple international training locations including training while at sea.⁴⁴¹ The Canadian Tour Guide Association (CTGA) of British Columbia is a volunteer run information/educational society for people who work, or who would like to work, in the sightseeing and tourism profession as local tourist guides, driver/guides, on-site guides, meet and greeters, and long distance (tour directors) guides. The CTGA of British Columbia website provides tourist guides with the necessary information on becoming a licensed and registered tourist guide in British Columbia.⁴⁴² The CTGA of Toronto⁴⁴³ serves several purposes. It is designed to inform the public, about the organization, its purposes and accomplishments. It also provides important information to prospective members and everyone who works in Toronto as a tourist.⁴⁴⁴ The Montréal Professional Tourist Guide Association (APGT) was established in 1930 with the introduction of tourist guides to the city of Montréal.⁴⁴⁵ APGT is an official non-profit organization. In 1984 with the deregulation of the transportation industry, “step-on guides” were introduced. No longer, must groups coming from North America disembark passengers from their own coaches and transfer them on to local coaches.⁴⁴⁶ However, local tourist guides are still required by law.

⁴⁴⁰ CTGA, “Cape Tourist Guides Association website”, <<http://www.ctga.org.za/about.aspx>>, s.a. Accessed: 2014-07-10.

⁴⁴¹ IGA, ‘International Guide Academy website’, <<http://www.bepaidtotravel.com/>>, s.a. Accessed: 2014-07-10.

⁴⁴² CTGA OF BRITISH COLUMBIA, ‘Canadian Tour Guide Association of British Columbia website’, <<http://www.ctgaofbc.com/contact.html>>, s.a. Accessed: 2014-07-10.

⁴⁴³ *Ibid.*

⁴⁴⁴ CTGA OF TORONTO, ‘Canadian Tour Guide Association of Toronto website’, <http://www.ctgaoftoronto.org/get_me_a_guide.html>, s.a. Accessed: 2014-07-10.

⁴⁴⁵ APTG-Montreal, “Association Professionnelle des guides Touristique Chapitre de Montreal website”, <<http://www.apgt.ca/en/>>, s.a. Accessed: 2014-07-10.

⁴⁴⁶ CTGA OF BRITISH COLUMBIA, ‘Canadian Tour Guide Association of British Columbia website’, <<http://www.ctgaofbc.com/contact.html>>, s.a. Accessed: 2014-07-10.

The CTGA of British Columbia is a registered non-profit organization run by volunteers which invites guides to attend functions, meet fellow guides, learn more about Vancouver and all of British Columbia, and to contribute to the future of tour leadership and tourist guiding in Western Canada. The association was formed during the spring of 1989, and the first meeting was held on October 2nd, 1989.⁴⁴⁷ It is a registered association under the British Columbia Society Act. The CTGA of British Columbia purpose is to develop a professional standard of tourist guides, to encourage tourist guide certification and professionalisation, to be a voice for tourist guides, and to provide a place to exchange information.⁴⁴⁸ By visiting the various attractions and inviting guest speakers to their meetings, they tend to increase the standards for the tourist guides, leading to eventual certification, where guides will be recognized as a valuable asset in showing the many attractions in the city, province, and country.⁴⁴⁹

The Professional Tour Guide Association of Australia (PTGAA) is based in Victoria was established and in 1985, its intention was to be the professional association representing tourist guides and tour managers in Australia. There is also the Institute of Australian Tourist Guides (IATG) which was established in 1993 to assist tourist guides in New South Wales to achieve the highest possible standards for tourist guides and tour managers. In the region there is also the South Australian Tourist Guides Association (SATGA) which was established in 2003 to cater for all tourist guides working in the South of Australia. Furthermore, there is The Tour Guides Western Australia Inc., which was established in 1979 as a peak body for tourist guides working in Western Australia.⁴⁵⁰ The PTGAA provides the Tourism and Incentives industry with professionally trained, reliable and skilled tourist guides and staff. The members of PTGAA are supported in developing and maintaining an ongoing high standard of expertise through professional career development, mentoring, training modules, and networking opportunities. This is also why it is necessary for professionalisation of tourist guides in the tourism industry.⁴⁵¹ According to the PTGAA mission, a professional tourist guide is one of the most important links within the Australian tourism industry. This is because they believe that tourist

⁴⁴⁷ CTGA OF BRITISH COLUMBIA, 'Canadian Tour Guide Association of British Columbia website', <<http://www.ctgaofbc.com/contact.html>>, s.a. Accessed: 2014-07-10.

⁴⁴⁸ *Ibid.*

⁴⁴⁹ *Ibid.*

⁴⁵⁰ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁵¹ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

guides work at the very frontline, they become the ‘Face of Australia’, with their direct contact and influence on the experiences visitors come away with.⁴⁵²

The PTGAA is a foundation member of Guiding Organisations Australia (GOA). The GOA is the national peak industry body for all Australian tourist guides those from Australia as well as the volunteer tourist guides operating in Australia. GOA owns and manages the national Tour Guide Accreditation Programme and is the body representing the interests of Australian Tour Guides at national level.⁴⁵³ The Australian Government supports GOA to develop and implement the national tourist guides of Australia accreditation program. GOA is committed to establishing and maintaining required standards, encouraging training, promoting best practice and eliminating unethical guiding practices.⁴⁵⁴ The Institute of Australian Tour Guides (IATG) is a national professional industry association that represents Australian tourist guides. IATG comprises qualified, professional members that are all experienced Australian tourist guides and have achieved the highest standards of competence and integrity.⁴⁵⁵ IATG is there to assist Australian tourist guides to achieve the highest professional standards. Its primary aim is to advocate on behalf of all the members on issues related to the tourism industry of Australia. In achieving this IATG promotes the recruitment and training of tourist guides, establishment of industry benchmarks and representation of tour guides at the highest level. Interpretation Australia Association is another national organisation dedicated to the advancement of cultural and natural heritage interpretation.⁴⁵⁶

The aim of a tourist guiding association is thus to achieve legal and professional status and recognition on behalf of tourist guides. As can be seen from above the tourist guiding association in each country are recognised as official associations, enjoying the legal and professional status awarded to other professional bodies under the legislation implemented within in each country. Furthermore, the tourist guiding associations are there to improve and enhance the professional training of tourist guides. Where applicable, in each of the mentioned countries, they prompt tourist authorities to train and examine all tourist guides within their country. Regardless of the respective country’s tourism legislation, these organised bodies have organised body have a say in the selection, training and

⁴⁵² PTGAA, ‘Professional Tour Guide Association of Australia’, <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁵³ GOA, ‘Guiding Organisations Australia Inc.’, <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁵⁴ *Ibid.*

⁴⁵⁵ IATG, ‘Institute of Australian Tour Guides’, <<http://www.iatg.com.au/>>, s.a. Accessed: 2014-07-10.

⁴⁵⁶ IATG, ‘Institute of Australian Tour Guides’, <<http://www.iatg.com.au/>>, s.a. Accessed: 2014-07-10.

examination of recognised standards of accredited tourist guides in South Africa, Canada and Australia.

CHAPTER 6 COMPARATIVE ANALYSIS: PRACTICAL IMPLICATIONS

6.1. Tourist guiding training institutions and certification

Responsible tourism is not a brand or a product. Tourism is represented in planning, policy and the development to ensure that benefits are optimally distributed among impacted populations, governments, tourists and investors. The implementation of responsible regulated tourism practices requires strong leadership and involves ways of managing tourism resources. The tourism industry is truly international in scope. In South Africa, Canada and Australia, as in other parts of the world, it involves a large-scale movement of people and money. A change in one part of the international tourism sector resonates throughout the system. To fully grasp the dynamics of the system and even manage the industry effectively throughout the national, regional, state/provincial, municipal and community components requires a body of knowledge that reflects the international reach of the industry and the interdisciplinary nature of decision making and regulations.⁴⁵⁷

It has been said that a career in travel and tourism can be one of the most exciting you can find!⁴⁵⁸ Tourism promotion claims that you can turn your passion for travel into rewarding employment opportunities through a certificate program. The tourism certificate is regarded as the first step to a world of opportunity, opening doors to many possible positions in the rapidly growing travel and tourism industry. Such a program will provide you with knowledge and experience to begin a new career.⁴⁵⁹ For a general overview see Annexure A, B and C which show whether it is necessary to obtain certification within Australia, Canada and South Africa.

In South Africa NTGA shall entertain various classes of membership for tourist guides within its ranks. The full membership will include, any person registered as a tourist guide in South Africa in terms of the *Tourism Act 3 of 2014* and/or subsequent legislation, may apply for full membership via the provincial and/or regional structures. Such applications shall be entertained by the provincial and/or regional structures on behalf of the National Executive Members (NEC) by the relevant Executive Committee within 7 (seven) days of application.⁴⁶⁰ Honorary membership will entail that

⁴⁵⁷ W. Husbands & Harrison, *Practicing responsible tourism. International case studies in tourism planning, policy and development*, 1996. pp. 1-10.

⁴⁵⁸ Travel droppings, How to become a tour guide. Online: <<http://www.traveldroppings.com/articles/work/tour-guide-jobs.php>>, s.a. Accessed: 20-11-2014.

⁴⁵⁹ IGA, 'International Guide Academy website', <<http://www.bepaidtotravel.com/>>, s.a. Accessed: 2014-07-10.

⁴⁶⁰ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

the NEC may grant Honorary Membership to any person who, in its opinion, has contributed significantly to furthering the objects of the NTGA.⁴⁶¹ An international membership will be given to any person registered as a tourist guide in terms of the *Tourism Act 3 of 2014* and/or subsequent legislation who is not residing in South Africa, may apply for international membership, provided such a person is deemed to have significantly contributed to the aims and objectives of the NTGA. This may be awarded at the discretion of the NEC. A student membership will be awarded to any person who has enrolled for training as a tourist guide with an accredited training provider, and is currently undergoing such training prior to registration at the National Registrar or Provincial Registrar. An associate membership will be awarded to corporations and other such organisations that support the objects of the NTGA. This may also be awarded at the discretion of the NEC. Lastly, every fully paid up member and registered tourist guide, via his/her Provincial representation shall have full voting rights at any general or special meeting of the NTGA, provided payment is received at least seven calendar days before any such meeting. Honorary members, international members, student members, and associate members shall have no right to vote but shall enjoy participating rights in the meetings and structures of the NTGA.⁴⁶²

Currently the training framework in South Africa has only two qualifications registered on the National Qualifications Framework (NQF). These are: a National Certificate in Tourism (Guiding (NQF2)) and a National Certificate in Tourism (Guiding (NQF4)). There are a number of unit standards catering for specialist guiding registered on the NQF. The Tourism, Hospitality and Sports Education Training Authority (THETA) submit that the specialist sectors in tourist guiding that are organised tend to play an important role in working with THETA to develop the unit standards/programmes they require.⁴⁶³ For site guides the unit standards include specialisation in, amongst others, culture, nature, or adventure guiding. To register as a Regional or National guide one would be required to complete a minimum of the NQF level 4 qualifications. The supplement of an area of specialisation is then added by candidates. There remain a number of challenges to ensuring that interested candidates are given the correct career counselling, and guided to the appropriate programmes should they wish to pursue a career in guiding. Some of these challenges will include: The fact that successful (no matter at what level) completion of training is the key basis of registration

⁴⁶¹ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁴⁶² *Ibid.*

⁴⁶³ FGASA, 'Field Guides Association of Southern Africa website', <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

as tourist guide.⁴⁶⁴ Furthermore, there is a need to manage the pipeline of candidates effectively. Demand side elements must be considered and career guidance has to be offered to tourist guides. The tourism market may be saturated with a particular specialisation, but may have potential in another.

The duration of courses on offer by the different institutions in South Africa varies. A tourist guide could for instance in some towns and cities, attend a training programme for three weeks, and be deemed competent.⁴⁶⁵ Skills Training Programmes for tourist guides are being offered by private training providers. The training material varies in depth and quality. Thus, creating the need to address training materials development and the approval to promote consistency of tourist guide training. The Sector Education Training Authority system accredits service providers and training materials. This is also the framework THETA implements. Tourist guiding is not just something that can be learnt from textbooks. There needs to be a substantive practical experiential training component attached to the accredited programmes. The guidelines which are provided by THETA to training institutions in South Africa is not always followed by all training providers. The term “quality assurance” is used in the legislation and regulations with regard to tourist guide training. This is understood by the sector to mean being assessed and then duly certified as a tourist guide.⁴⁶⁶ The tourist guide acting as a guide must be registered under the regulations of CATHSSETA (The Culture Arts, Tourism, Hospitality and Sport Sector Education and Training Authority) for the regions related to the appointment, in accordance with the *Tourism Act of 2014*, chapter 6.⁴⁶⁷

The South African NDT entered into an agreement with the CATHSSETA which seeks to prioritise tourist guide training and development throughout South Africa. The memorandum of understanding with CATHSSETA also addresses areas of transformation within the tourist guiding sector, as well as the maintenance of standards through quality training and effective skills development programmes aimed at existing tourist guides. The training programmes for tourist guides taking place

⁴⁶⁴ FGASA, ‘Field Guides Association of Southern Africa website’, <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

⁴⁶⁵ Gauteng Guides Association, ‘Gauteng Guides Association website’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁴⁶⁶ *Ibid.*

⁴⁶⁷ *Ibid.*

in provinces focus on skills development for existing tourist guides to make them more marketable and employable within the sector.⁴⁶⁸

In South Africa there are several important unit standards, within the different areas of specialisation, that have been clustered together to form skills programmes addressing these areas of specialisation, and it is aimed at persons wishing only to complete the specialised minimum area of learning. These skills programmes are registered by CATHSSETA for tourist guiding certification purposes. The applicable unit standards are registered on the NQF. In order to register as a site guide specialising in culture, nature, or adventure guiding you need different combinations of unit standards.⁴⁶⁹

For example the FGASA (Field Guide Association of South Africa) provides educational opportunities to promote the conservation and restoration of the cultural and natural heritage of Southern Africa. To this end FGASA maintains and serves a professional association of highly-trained nature guides, tour operators and hospitality institutions who share the vision and are committed to the FGASA Code of Conduct and Responsible Tourism Guidelines. Furthermore, FGASA aims to promote a culture of professional guiding based on a strong ethical well-informed, safety conscious approach that provides the visitor to Southern Africa with a “pleasant and memorable experience.”⁴⁷⁰ FGASA is a CATHSSETA accredited training provider for tourism guiding in South Africa. The equivalent CATHSSETA qualifications can be attained through FGASA, thus allowing tourist guides to attain the required National Skills Program Certificates and Qualifications. FGASA is continually adding qualifications to their scope in terms of CATHSSETA accreditation. At present some of the national qualifications/skills programmes can be attained through FGASA. There are a number of qualifications which can be attained through FGASA which are not registered with SAQA at present. Any learner who attains a qualification/skills programme

⁴⁶⁸ FGASA, ‘Field Guides Association of Southern Africa website’, <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

⁴⁶⁹ Gauteng Guides Association, ‘Gauteng Guides Association website’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁴⁷⁰ FGASA, ‘Field Guides Association of Southern Africa website’, <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

which is not yet registered will be “Rpled” (recognition of prior learning)⁴⁷¹ as soon as the qualification/skills programme is registered.⁴⁷²

At a practical level, the Provincial Tourist Guides Association of KwaZulu-Natal Battlefields Region prides itself in having some of the most knowledgeable, enthusiastic and helpful tourist guides in the country. Their guide members are all accredited and registered. Their knowledge has been tested and accepted by their peers. This knowledge is kept up to date by a continuous interchange of opinions and information, together with regular "educationals" where groups of guides get together on various sites to discuss and exchange views and opinions on them. The Association claims that visiting the Battlefields Region is a great experience “made so much better when in the company of a qualified tourist guide who can inform you in an interesting way on battlefields, wildlife, birding, Zulu culture, history, rock art, museums, agriculture and fauna and flora.”⁴⁷³ The Provincial Tourist Guides Association of KwaZulu-Natal Battlefields Region’s list of guides is divided into areas of expertise and location to make it easier to select an appropriate tourist guide.⁴⁷⁴

It is important for all tourist guide trainers and assessors in South Africa to be accredited by CATHSSETA to be able to train according to the nationally recognized standards and qualifications. Assessors cannot issue certificates to tourist guides as they have to be working for or with an accredited training provider who will then issue certificates from CATHSSETA, upon completion of the assessment. The duration of the course, course content, dates and time of training, fee structure is determined by each training provider.⁴⁷⁵

The tourist guiding qualifications in South Africa are made up of a number of different unit standards which is standardised according to CATHSSETA’s professional standards. All the different units

⁴⁷¹ J.P., Heyns, Recognition of prior learning (RPL): In search of a valid and sustainable mechanism for South Africa. Unpublished M.Ed. dissertation. University of Pretoria, 2004.

⁴⁷² FGASA, ‘Field Guides Association of Southern Africa website’, <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

⁴⁷³ The Provincial Tourist Guides Association of KwaZulu-Natal Battlefields Region, ‘The Provincial Tourist Guides Association of KwaZulu-Natal Battlefields Region website’, <<http://www.battlefieldsregionguides.co.za/>>, s.a. Accessed: 2014-07-10.

⁴⁷⁴ The Provincial Tourist Guides Association of KwaZulu-Natal Battlefields Region, ‘The Provincial Tourist Guides Association of KwaZulu-Natal Battlefields Region website’, <<http://www.battlefieldsregionguides.co.za/>>, s.a. Accessed: 2014-07-10.

⁴⁷⁵ Gauteng Guides Association, ‘Gauteng Guides Association website’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

represents knowledge that an individual must have, specific to his profession or field of interest. Details of accredited tourist guide training providers and assessors are available on the CATHSSETA website at www.cathsseta.org.za or can be obtained by calling their offices.⁴⁷⁶ RPL is the type of assessment used for those who have been working as unregistered guides in the past as it takes into account all the qualifications, work experiences, life skills etc. for a particular guide and fits these into the current NQF for guiding. The assessor may point out the areas/unit standards to which extra attention needs to be given. Once the tourist guide has completed this a meeting with the assessor will need to be arranged in order to complete the assessment.⁴⁷⁷ This is the essence of tourist guiding accreditation in South Africa to date. The NDT is however in the process of gazetting new regulations.⁴⁷⁸

At the present time tourist guiding training in Canada is only a requirement in Montréal and Quebec City, but there is an understanding that some other cities may be contemplating introducing such a requirement. However, again someone who is new to this profession would find it difficult not to seek out some form of training before considering tourist guiding. As mentioned it is crucial to note that there is more to being a tourist guide than knowing what commentary to deliver and showing people around at a destination.⁴⁷⁹ Since 1985, the *Institut de Tourisme et d'hôtellerie du Québec* is the only institute recognised by law to offer this course. Prior to 1985, it was offered at different educational institutes. This institute is a CEGEP or college. The *Institut de Tourisme et d'hôtellerie du Québec* determines the content and structure of the tourist guide course in collaboration with APGT, the agencies which employ tourist guides and Tourisme Montréal. In 1992, the tourist guiding course was re-evaluated and changed based on the needs of the tourism market. Now it is required of potential tourist guides to speak a minimum of three languages. All of the candidates must speak these languages fluently to be accepted into the course. Those wanting to be driver guides must have a coach-driving license and are only required to speak English and French, though many also speak a third language. Candidates must go through a screening process before being accepted to the *Institut*

⁴⁷⁶ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁴⁷⁷ FGASA, 'Field Guides Association of Southern Africa website', <<http://www.fgasa.co.za/>>, s.a. Accessed: 2014-07-10.

⁴⁷⁸ No. 89 Provincial Gazette Extraordinary vol. 22, Tourism Act no. 3 of 2014. (Publication of *Draft Regulations for Tourist Guiding* was incorrectly publicised in Provincial Gauteng Gazette)

⁴⁷⁹ Travel droppings, How to become a tour guide. Online: <<http://www.traveldroppings.com/articles/work/tour-guide-jobs.php>>, s.a. Accessed: 20-11-2014.

de Tourisme et d'hôtellerie du Québec. All languages are tested and résumés are verified for work and educational experience.⁴⁸⁰

Training of tourist guides in Montréal includes an explanation and history of Montréal's lifestyles and activities. Training will develop in each tourist guide the ability to carry out research; an abiding interest in local news and events; a sense of respect not only for visitors but for colleagues; the ability to communicate effectively. The training will also consist of the following subjects: Montréal's cultural communities, cultural understanding of the visitor to Montréal, physiology of the visitor or tourist, cultural activities of Montréalers, history, geography, politics, architecture (including monuments, works of art etc.); the economy; flora and fauna; first nations; Montréal's underground city; religion (awareness to other religions, to sensitise guides); the fur industry (shopping and hunting); socio-economics systems; Montréal's various industries and much more. Tourist guides who have successfully completed their training receive their diploma from *Institut de Tourisme et d'hôtellerie du Québec*. This institute will then submit the names of these individuals to the City of Montréal permit department where the tourist guide may then obtain their license to conduct tours in Montréal.⁴⁸¹

In Montréal, if any tourism organisation, individual, taxi or limousine driver, hotel concierge offer visitors a tour and if the tourists are being guided on a tour, if the words "tour", "guided", "commented", "guide" are used then a licensed professional tourist guide must be used. There are no taxi drivers, no limousine drivers who are qualified, trained or licensed to offer tours. If the Limousine Company offers this service then visitors must be aware that they may be paying for a service by someone who is not qualified to do so. Biking tourist guides in Montréal must have completed training by Vélo Québec, have their first-aid training and must be a member of the APGT Montréal to offer bike guided tours. This is also the case for scooter and Segway tours. Taxi Ambassador Drivers are given a training to know the city better by Tourism Montréal; however, this does not give them the right to guide, only to assist passengers when they can. Montréal tourist guides do not get kick-backs or commissions from shops and stores. This practice is not permitted in the *City By-Law* and the associations' code of ethics. As pointed out, before being allowed to purchase

⁴⁸⁰ CTGA of British Columbia, 'Canadian Tour Guide Association of British Columbia website', <<http://www.ctgaofbc.com/contact.html>>, s.a. Accessed: 2014-07-10.

⁴⁸¹ *Ibid.*

the necessary guiding permit from the City of Montréal, all potential guides must have completed the tour guide course offered by the *Institut de tourisme et d'hôtellerie du Québec*.⁴⁸²

In Toronto there are several ways you can become a tourist guide. It is expected of the tourist guides to study the city, its past and its present and advertise their services as tourist guides by giving walking tours or bus tours. There are a number of people offering such as tourist guiding services in the city of Toronto.⁴⁸³ The Canadian Tour Guide Association of Toronto and its members support educational activities for the members and have also supported tour guide education outside of their association. They maintain a program of learning events for tourist guides at attractions within Toronto. The Association believes in accreditation for tourist guides and were in the forefront of a drive to introduce certification of tourist guides in Toronto. They furthermore support licensing of tourist guides in the Niagara area and most of their members have the Niagara Parks Commission tourist guide licence.⁴⁸⁴

Most of the members of the CTGA of Toronto are “step-on” tourist guides which means they step onto a bus and guide it through the city giving instructions to a driver about which way to go while keeping to a schedule of two or three hours. Guide training courses are also offered by George Brown College. The CTGA of Toronto is currently working towards obtaining licensing of tourist guides. They have developed a certification programme. Tourist guide membership is for those tourist guides who are actively working as Toronto city tourist guides or those who are tour directors based in the Toronto area. In either case, the applicant must qualify as a local guide.⁴⁸⁵

Although there is no official requirement in Australia for tourist guides to have formal training, most people prefer to gain the knowledge and skills before going into the industry. Training facilities also often provide job placement and can recommend the best companies and employers to work for. However, it will help the tourist guide finding work, but it is not a prerequisite. Each tourism company will have its own training and certification. For instance, the PTGAA is supposed to be responsible for accreditation. A commissioner is appointed to issue registration certificates to tourist

⁴⁸² CTGA of British Columbia, ‘Canadian Tour Guide Association of British Columbia website’, <<http://www.ctgaofbc.com/contact.html>>, s.a. Accessed: 2014-07-10.

⁴⁸³ *Ibid.*

⁴⁸⁴ *Ibid.*

⁴⁸⁵ CTGA of Toronto, ‘Canadian Tour Guide Association of Toronto website’, <http://www.ctgaoftoronto.org/get_me_a_guide.html>, s.a. Accessed: 2014-07-10.

guides who complete a tourist guiding course.⁴⁸⁶ Likewise, employers also prefer to hire candidates who have attended tourist guide schools, as it shows that they are serious about the industry and it means that no additional on the job training needs to be given. Training also provides you with the necessary skills to open your own tour operation and gives you a better grasp of the touring procedures in the country as well as overseas. The services provided by professional tour guides starts well before the actual job requirement. It is argued that what sets a PTGAA tourist guide apart from a volunteer tourist guide is that they will have done extensive research, planned and prepared for each tour. PTGAA tourist guides are all different as they specialise in and provide a variety of services including: driver guides, special interests or language guides services.⁴⁸⁷ Training offers updates on current industry practices and recognition of competency required by increasing numbers of employers. However, tourist guides in Australia need to do training through Secondary school vocational programs. Thus the best introduction and training for tour guiding is to undertake a course. The IATG recommends TAFE Ultimo. TAFE provides tourist guiding course certificates at level III. There are also some other registered training organisations such as at universities, which provide Protected Area Managers and Tourism Industry certificates and courses.⁴⁸⁸

In Australia the National Tourism Accreditation Framework, known as T-QUAL Accreditation, ceased to operate from 30 June 2014. This followed after a conclusion of a tender process that was not able to identify an industry provider who could demonstrate a sustainable and self-funding business model for the program.⁴⁸⁹ The Australian government indicated in its pre-election tourism policy that it would transfer responsibility for T-QUAL Accreditation to industry through a tender process. A tender process was the best way to test the market to determine if there was an industry provider willing and able to run a sustainable, industry-led program.⁴⁹⁰ Following this tender outcome, and with the expiration of government funding for the program in 30 June 2014, Austrade works with T-QUAL stakeholders, including current T-QUAL accredited quality assurance schemes, to wind up the T-QUAL umbrella framework.⁴⁹¹

⁴⁸⁶ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁸⁷ *Ibid.*

⁴⁸⁸ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁸⁹ Austrade, T-QUAL Accreditation. Cessation of the T-QUAL Accreditation program. 1 July 2014, <<http://www.tourism.australia.com/industry-advice/t-qual-accreditation.aspx>>, s.a. Accessed: 27/10/2014.

⁴⁹⁰ *Ibid.*

⁴⁹¹ *Ibid.*

It is important to note that it is only the T-QUAL framework that is being wound up, not the endorsed quality assurance programs themselves. Consumers will continue to be assured and guided on quality standards by making product choices through many industry-based quality assurance schemes operating across the country.⁴⁹² Tourism operators and tourist guiding services associated with the 'T-QUAL Tick' trade mark will be given a reasonable period to remove the Tick from their marketing materials.⁴⁹³ However, they will continue to be accredited members of their relevant industry quality assurance schemes under the membership rules of those schemes.⁴⁹⁴ The training and professionalisation of tourist guides in Australia is now part of PTGAA mission statement. They strive to represent, educate and support tourist guides in Australia to provide world class services to the tourism industry and its visitors.⁴⁹⁵

This important responsibility of PTGAA requires reliable and capable tourist guides to ensure a successful outcome. This is why PTGAA accredited tourist guides are individuals with extensive tourism industry related knowledge and gain tremendous experience compared to the tourist guides whom only volunteer their guiding services and do not become accredited tourist guides in the Australian tourism industry. PTGAA ensures that the tourist guide provide thorough research, preparation and delivery of the most memorable and enjoyable interpretive guiding experience to visiting tourist. By doing this tourist guides will create a superior visitor satisfaction, to the benefit of both the growing tourism industry and other related businesses. If tourist guides become members of PTGAA they will complete a Certificate level III or more in a tourist guiding related course.⁴⁹⁶

Accredited tourist guides will as a pre-requisite for membership, be individually assessed, and required at all times to hold a current certificate II (senior first aid) and a valid tour guide liability insurance to the value of \$10 million.⁴⁹⁷ Additionally, members are encouraged to become accredited guides of Australia through the National industry body GOA.⁴⁹⁸ Tourist guide can be accredited

⁴⁹² Austrade, T-QUAL Accreditation. Cessation of the T-QUAL Accreditation program.1 July 2014, <<http://www.tourism.australia.com/industry-advice/t-qual-accreditation.aspx>>, s.a. Accessed: 27/10/2014

⁴⁹³ *Ibid.*

⁴⁹⁴ Tourism Australia website, 'Tourism 2020. What is Tourism 2020?'

<<http://www.tourism.australia.com/statistics/tourism-2020.aspx>>, s.a. Accessed: 27/10/2014.

⁴⁹⁵ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁹⁶ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁴⁹⁷ *Ibid*

⁴⁹⁸ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

members at any of the following institutions: PTGAA, GOA, IAA, IATG, Ecotourism AU, Kakadu National Park, Uluru & Kata Juta National Park or other smaller tourism businesses.⁴⁹⁹ PTGAA guides have a great level of knowledge and a variety of specialised skills. These skills include special interest areas such as culture, heritage, nature/wildlife/eco-tourism, adventure, art, music and wine tourism. They also provide professional development opportunities for tourist guides by ensuring continued learning and upgrade of skills. Tourist guides whom receive training from PTGAA should be able to assist tourism operators and tourist Australia-wide in a number of languages. They can also provide the following courses to tourist guides: both First Aid plus CPR level II.⁵⁰⁰

The GOA accreditation of tourist guides makes use of the National Tourism, Hospitality and Events Training Package, which includes competency standards and national qualifications. There are three relevant certificates: certificate III in Guiding (replaces Certificate III in Tourism (Guiding)), certificate IV in Guiding (replaces Certificate IV in Tourism (Guiding)) and certificate IV in Tourism (Natural and Cultural Heritage). GOA supports registered training organisations in the training of tourist guides within Australia to achieve a minimum of certificate III in tourist guiding, or equivalent, and encourages them to assist with recognition of prior learning for accredited tourist guides.⁵⁰¹ Every third year tourist guides will have to do an onsite re-evaluation, by submitting a tour plan and showing their tourist guiding skills, also doing a simulated tour reflecting real circumstances and lastly providing an up to date portfolio of their tourist guiding experience.⁵⁰²

Table 4 below shows the importance of tourist guide training and licensing. This table was adapted for the purpose of this study by added data for Canada. Canada and South Africa's data show that tourist guiding training and certification is important, whereas it appears that in Australia it is not necessary for tourist guides to be competent or have prior training or certification.

⁴⁹⁹ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁵⁰⁰ *Ibid.*

⁵⁰¹ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

⁵⁰² *Ibid.*

AREA	LICENSED TOURIST GUIDE	TRAINING	PROFESSIONAL ASSOCIATION ACCREDITATION	IMPORTANCE OF COMPETENT TOURIST GUIDES
EUROPE	91%	Some university 100% of college on-the-job training	91% of countries	1.1
ASIA/PACIFIC	85%	70% college training 30% on-the-job training	50%	1
AFRICA	50%	50% university 50% on-the-job training	50%	1
AUSTRALIAN STATES	ACT only	College is available but it is no mandatory 100% on-the-job training	available but not mandatory	5
CANADA	Only a requirement in Montréal and Quebec	Depends on regions. High school/ University. Educational training Programmes. On-the-job training plays role	available but not mandatory everywhere only in Montreal and Quebec	1

* 1= very important 5=not at all

Table 4: Adapted from I. McDonnell's Table showing importance of tourist guide training and licensing.

From: I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism, Working Paper Series*, 2001, p. 4.

It is increasingly becoming important for tourist guides to be professional, because it will ensure that the tourist experience is the best possible and of high standards. That is why both South Africa and Montréal place so much focus on the training of professional tourist guides. In Australia, tourist guides only get in-house training from the company they work for. It is not necessary for tourist guides to be trained because there are so many tourist guides who work only as volunteers at the different attractions. This training required can vary from one that is tightly regulated, like in South Africa and Canada where tourism organizations control the tourist guides, to Australia where anyone can volunteer to be a tourist guide without any qualifications.⁵⁰³

Each country has different rules with regards to a range of aspect related to tourist guiding training.⁵⁰⁴ It is questionable whether tourist guides are, despite being given a license by local authorities, ready to assume their complex and multifaceted role. The form of their training in many countries is mostly based on revising secondary school knowledge on geography, history, cultural heritage of certain regions, first aid etc., usually neglecting presentation and communication skills, group dynamics

⁵⁰³ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, pp. 3-4.

⁵⁰⁴ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

management or anything else which also makes "the art of guiding": other aspects such as navigation, assessing group's abilities, pointing out precisely, timing commentary, storytelling, voice projection (audibility), non-verbal presentation and the like. The importance of the skills of delivery over actual knowledge in tourist guiding is strongly advocated. This emphasises what Rabotić states about all guides being interpreters first, and subject specialists second.⁵⁰⁵ With this in mind, it is necessary to provide sufficient education and training for tourist guides in all tourist destination regions. Tourist guides should be treated and motivated as one of the key stakeholders in tourism development.⁵⁰⁶

6.2. Tourist guiding licenses

According to Noel B. Salazar, tourist guides acquire specialized knowledge and training to become professional tourist guides. "During their training they are instructed, both implicitly and explicitly, how to use global discourses to represent and sell their natural and cultural heritage as authentically as possible."⁵⁰⁷ To be effective in their role as a cultural bridge, tourist guides must be experts in the culture of the destination and have a good understanding of the culture of the tourist.⁵⁰⁸ In their individual interaction they are then able to adapt their interpretation to both the specific tourist group requirements as well as the particular context.⁵⁰⁹ This relates to the emergence of tourist guiding as an independent service provision as is reflected in the sociology of new tourism.⁵¹⁰

Tourist guiding accreditation is specific to each country and is usually set out in their different acts which are applicable to tourist guiding. South Africa and Canada have government organisation or training and advisory bodies responsible for the professionalisation and standardisation of tourist guiding within the country. However in Australia it is not expected of all tourist guides to have a formal license. It is necessary in South Africa and Canada to form tourist guiding associations to achieve legal and professional status and recognition within the industry. Name badges or ID cards

⁵⁰⁵ B. Rabotić, Tourist Guides in Contemporary Tourism, *International conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 4-5.

⁵⁰⁶ B. Rabotić, Tourist Guides in Contemporary Tourism, *International conference on Tourism and environment Sarajevo*, 4-5 March 2012, pp. 4-5

⁵⁰⁷ N.B. Salazar, Touristifying Tanzania: Local Guides, Global Discourse, *Annals of Tourism Research*, vol.33 (3), 2006, p. 1.

⁵⁰⁸ I. McDonnell, The Role of the Tour Guide in Transferring Cultural Understanding, *School of Leisure, Sport and Tourism*, Working paper No.3, 2001, pp. 3-4.

⁵⁰⁹ N.B. Salazar, Touristifying Tanzania: Local Guides, Global Discourse, *Annals of Tourism Research*, vol.33 (3), 2006, p. 1.

⁵¹⁰ E. Cohen, The Tourist Guide. The origins, structure and dynamics of a role. *Annals of Tourism Research*, vol. 12 (1), 1985, pp. 31-32.

are wonderful introductory tools. They make it easy for tourists to learn their names and remember them. Additionally, ID cards increase the likelihood that the tourist guide will make a lasting impression on tourists and increase their chances for future work possibilities and/or appraisals. By wearing a name badge, the tourist guide is also validated and contributing to the safety and security of the tourist.⁵¹¹

As indicated in the *Tourism Act 3 of 2014*, any person who wishes to be registered as a tourist guide shall apply to the relevant Provincial Registrar in South Africa. In order to be registered as a tourist guide in South Africa, a person must meet the following minimum requirements: must be a South African citizen or be in possession of a valid work permit; must have undergone training with a CATHSSETA-accredited training provider; must be in possession of a valid first aid certificate from an institution accepted by the Department of Labour; submit 4 passport size photos; pay a registration fee of R240 (in 2016 still the valid amount); and must submit a completed and signed registration form and a code of conduct and ethics upon registration.⁵¹²



Figure 3: South African tourist guiding badge and ID card

From: <http://www.tourismtattler.co.za/wp-content/uploads/mar13_guiding-2-tourist-guides-sa-21.png>

The old SATOUR badges and ID cards became null and void on 31 May 2002. Registered tourist guides are now identified by new ID cards which all tourist guides are required to have in their possession whilst guiding. (See image above in Figure 3) Official tourist guide badges must also be worn whilst conducting a tour. The Provincial Registrar will issue badges and ID cards to new guides only once their application for registering as a tourist guide has been approved. The ID cards indicate the category of guiding, the regions for which the tourist guide was found competent to guide, as well

⁵¹¹ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁵¹² *Ibid.*

as specialities that the guide might possess. The ID cards are very important because the various policing authorities will request tourist guides to produce these during tourist guide spot checks conducted at various parts of South Africa to identify illegal/unregistered tourist guides. Any person registered as a tourist guide, may before the end of the period for which he/she is registered, apply to the Provincial Registrar for renewal of his or her registration and his/her registration shall, upon submission of application forms and other documents and payment, be renewed.⁵¹³

In Montréal and Quebec City, both located in the Province of Quebec, tourist guiding licences are subject to change as other jurisdictions may implement similar requirements in the future. For any type of tours, commented visits, including orientation tours of any type (using a vehicle, on foot, bicycle, scooter, Segway), the services of a trained, certified, licensed guide who is a local Montréalers and expert of Montréal is strongly recommended. The APGT promotes markets and networks the competence and integrity of the tour guiding profession. Various services for its members are organized including retraining, refresher courses and conferences.⁵¹⁴ Figure 4 below is of a registered tourist guide operating in Montréal, Canada. Members of APGT Montréal are easily recognized by their red tourist guide photo identification and their city permit below this. In addition to carrying their municipal City of Montréal permit, members of the APGT wear a personalized membership badge bearing their photograph and the APGT logo. Members also display a red identification triangle on the wind-shield of tour coaches and private vehicles. These triangles clearly identify that there is a licensed professionally trained Montréal tourist guide on board who is a member of the APGT. Visitors recognize these items, so do the merchants and city authorities, indicating once again that a licensed trained professional tourist guide who is member of the APGT is conducting a visit and/or orientation. The Association maintains a list of members that it shares with local organisations. The information on this list helps tours operators, destination management companies, convention and visitor bureaus and clients match a local Montréal licensed guide with someone visiting Montréal based on their interests, specialties and language skills. Although tourist guides are licensed by the City of Montréal they are not employed by the City, nor do they work for the City of Montréal. Tourist guides are covered by civil liability insurance, and are independent, self-employed, free-lance individuals working on contracts. It is necessary for tourist guide to renew

⁵¹³ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁵¹⁴ APTG Montréal, 'Association Professionnelle des Guides Touristique, Chapitre de Montréal website', <<http://www.apgt.ca/en/tourist-guide/>>, s.a. Accessed: 07-04-2015.

their permits annually in Canada. The annual membership fees for tourist guides are \$50 and must be paid and enclosed together with the membership application.⁵¹⁵



Figure 4: Montréal and Québec City tourist guides permit

From: <<http://www.apgt.ca/en/tourist-guide/>>

In Australia SATGA, offer ID and accreditation cards to tourist guides and list tourist guides on their tourist guide database. SATGA maintains high standards of service and provides greater work opportunities while maintaining its own website listing all members. Upon successful completion of all accreditation requirements, a Photo ID Card will be provided to identify qualified tourist guides. The photo should be a passport sized digital image, reflective of the individual as a tourist guide. ID cards should be prominent to tourist and other people working in the tourism industry.⁵¹⁶

Furthermore, SATGA assists in education of members through seminars and familiarization of the tourism industry by providing a forum for the exchange of information and advice of interest to tourist guides. SATGA is a member of GOA and adheres to GOA's voluntary Code of Conduct, while lobbying tourism organisations and government authorities to improve recognition of the professional status of tourist guides. SATGA membership for tourist guides is as follows: full membership \$80.00 p.a., provisional membership \$40.00 p.a. and associate Membership \$10.00 p.a. Full members are professional tourist guides who are working in the industry. Provisional members are newly qualified tourist guides, who are in the process of gaining experience before applying for full membership. While, associate membership is open to volunteer guides and to those who have retired from guiding activities.⁵¹⁷ Tourist guides of Australia accreditation must be renewed annually. Tourist guides will have to provide proof of professional development throughout the year and a copy of their current First Aid Certificate.

⁵¹⁵ APTG Montréal, 'Association Professionnelle des Guides Touristique, Chapitre de Montréal website', <<http://www.apgt.ca/en/tourist-guide/>>, s.a. Accessed: 07-04-2015.

⁵¹⁶ GOA, 'Guiding Organisations Australia Inc.', <<http://www.goa.org.au/>>, s.a. Accessed: 2014-07-10.

⁵¹⁷ SATGA, 'South Australian Tourist Guides Association website', <<http://satourguides.org.au/membership/>>, s.a. Accessed: 23-10-2015.

All three countries thus have some form of licensing and identification for tourist guides.

6.3. Tourist guiding code of conduct

A fundamental frame of reference for responsible and sustainable tourism, is a ‘Code of Ethics’ for tourism and in the case of this study for tourist guiding. A ‘Code of Ethics’ is a comprehensive set of principles designed to guide key-players such as tourist guides in tourism development. Addressed to governments, the travel industry, communities and tourists alike, it aims to help maximise the sector’s benefits while minimising its potentially negative impact on the environment, cultural heritage and societies across the globe. This will be considered in the three countries chosen for this study.

Taleb Rifai, UNWTO Secretary-General has the following comment on ‘code of conduct’:

UNWTO is guided by the belief that tourism can make a meaningful contribution to people’s lives and our planet. This conviction is at the very heart of the Global ‘Code of Ethics for Tourism’, a roadmap for tourism development. I call on all to read, circulate and adopt the Code for the benefit of tourists, tour operators, host communities and their environments worldwide.⁵¹⁸

There is global “code of guiding practices” drawn up for tourist guides by the WFTGA for an assurance of high level professionalism when conducting tours. The WFTGA “code of guiding practices”⁵¹⁹ entails the following: Firstly stating the adherence to the WFTGA Code of Guiding Practice provides an assurance of the high level of professionalism and a value-added service offered by the individual guides to their clients; secondly stating that, tourist guide associations which belong to the WFTGA accept on behalf of their members the WFTGA’s principles and aims; thirdly, to provide a professional service to visitors, professional in care and commitment, and professional in providing an objective understanding of the place visited, free from prejudice or propaganda; fourthly, to ensure that as far as possible what is presented as fact is true, and that a clear distinction is made between this truth and stories, legends, traditions, or opinions; fifthly it is expected of tourist guides to act fairly and reasonable in all dealings with all those who engage the services of tourist guides and with colleagues working in all aspects of the tourism industry; sixthly, to protect the reputation

⁵¹⁸ UNTWO, ‘World Tourism Organisations Website’, <<http://www.www2.untwo.org/>>, s.a. Accessed: 2012-10-14.

⁵¹⁹ World Federation of Tourist Guide Associations, ‘What is a Tourist Guide’, <<http://wftga.org/tourist-guiding/what-tourist-guide>>, s.a. Accessed: 15 October 2012.

of tourism in our country by making every endeavour to ensure that guided groups treat with respect the environment, wildlife, sights and monuments, and also local customs and sensitivities; lastly, as representatives of the host country to welcome visitors and act in such a way as to bring credit to the country visited and promote it as a tourist destination.⁵²⁰

The matter of signing a tourist guiding code of conduct is very important in South Africa. This is also stipulated in the *Tourism Act 3 of 2014*, both Australian and Canada also each have a tourist guiding ‘code of conduct’ to which tourist guides have to adhere to.

The FGASA has drawn up the “Tourist Guide Code of Conduct and Ethics”, and these are in line with Regulations of the *Act* in respect of tourist guides, which is published in the Regulation Gazette No. 22563 in 2001.⁵²¹ These bind all qualified and practicing tourist guides. “Tourist Guide Code of Ethics” in South Africa states that a professional tourist guides operating within the country must conform to the “Tourist Guide Code of Ethics” set out by the National Tourist Guides Association. The code states that:

- Tourist guides shall at all times be welcoming and demonstrate an enthusiasm for South Africa;⁵²²
- Tourist guides shall at all times show willingness to provide optimum support and quality service to all tourists, and will give tourists an opportunity to enjoy or visit a desired destination;⁵²³
- Tourist guides shall in no way discriminate in rendering service to any tourist on any basis, e.g. race, gender, ethnicity, nationality, physical challenge and age;⁵²⁴
- It is expected of tourist guides that they shall be impartial, unbiased and positive, and represent South Africa objectively;⁵²⁵

⁵²⁰ Because South Africa, Canada and Australia belong to the WFTGA all three of the countries has to strictly adhere to the WFTGA’s ‘code of guiding practices’. This is also why these countries’ tourist guiding associations have drawn up their own ‘code of ethics’ or ‘code of guiding practices.’

⁵²¹ Gauteng Guides Association, ‘Gauteng Guides Association website’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁵²² Gauteng Guides Association, ‘Gauteng Guides Association website’, <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁵²³ *Ibid.*

⁵²⁴ *Ibid.*

⁵²⁵ *Ibid.*

- Tourist guides shall be suitably dressed and presentable at all times; It is expected that tourist guides shall be punctual, reliable, honest, conscientious and tactful at all times;⁵²⁶
- They shall be a responsible driver, when driving as a guide;⁵²⁷
- It is expected of tourist guide that they shall carry out the programme/itinerary of a tour to his/her best abilities and be loyal to the company/organization that he/she is representing;⁵²⁸
- Tourist guides shall deal with conflict in a sensitive and responsible manner;⁵²⁹
- They shall report any incident of injury or death to a nearby tourist authority or police station;⁵³⁰
- Tourist guides shall be knowledgeable and shall assist tourists and not provide them with misleading information;⁵³¹
- They shall in the event of not being familiar with, or being unable to provide information requested by a tourist, consult with the appropriate authorities for assistance;
- It is very important that tourist guides shall at no time be under the influence of alcohol or a narcotic substance while on duty and shall refrain from administering any medication to a client without proper medical consultation;⁵³²
- Tourist guides shall never solicit for clients or gratuities;⁵³³
- It is important that tourist guides shall be concerned at all times for the safety of the tourist;⁵³⁴
- It is expected that tourist guides shall wear the appropriate tourist guide badge and will carry his/her registration card;⁵³⁵
- Lastly, it is expected that tourist guides shall treat all people, cultures and the environment with respect.⁵³⁶

⁵²⁶ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁵²⁷ *Ibid.*

⁵²⁸ *Ibid.*

⁵²⁹ *Ibid.*

⁵³⁰ *Ibid.*

⁵³¹ *Ibid.*

⁵³² *Ibid.*

⁵³³ *Ibid.*

⁵³⁴ Gauteng Guides Association, 'Gauteng Guides Association website', <<http://www.guidessa.org/?q=node/23>>, s.a. Accessed: 2014-07-10.

⁵³⁵ *Ibid.*

⁵³⁶ The 'Tourist Guide Code of Conduct and Ethics' drawn up by FGASA is in line with the 'code of guiding practices' which has been drawn up by the WFTGA. It also closely relates to some of the aspects in the PTGAA's tourist guides' 'code of conduct', the IATG's (which is basically the same as PTGAA's code of conduct) and the 'code of ethics' for

In Montréal, Canada, the APTG implemented the Association's "Code of Ethics" for tourist guides in 1985.⁵³⁷ In short the code of ethics states that: the tourist guide acts as an ambassador for the city of Montréal; representing his or her region to tourists; the guide's duty is to paint a vivid, accurate picture of the city or region and the people who live there; the guide should have a solid general education and keep abreast of current events; the tourist guide should also develop the following characteristics: dignity, tact, judgment, objectivity, openness, courtesy and punctuality.⁵³⁸

The 'code of ethics' for Canadian Tour Guide Association of Toronto is similar to that of Montreal as are the duties and responsibilities of the tourist guide.⁵³⁹ It reads as follows:

- A CTGA of Toronto Member maintains a professional manner with his/her clients in the execution of a Member's duties as a Tour Guide or other tourism-related service for which the Member is legally contracted.⁵⁴⁰
- A CTGA of Toronto Member accepts each tour as a serious commitment. The Member provides as much advance notice as possible when he/she has to cancel an assignment due to unforeseen circumstances.⁵⁴¹
- A CTGA of Toronto Member does not solicit gratuities.⁵⁴²
- A CTGA of Toronto Member encourages a positive relationship with other tour groups and colleagues. The Member maintains ethical and professional conduct at all times.⁵⁴³

the Canadian Tour Guide Association of Toronto and the Association Professionnelle des Guides Touristique, Chapitre de Montreal.

⁵³⁷ APTG-Montreal, "Association Professionnelle des guides Touristique Chapitre de Montreal website", <<http://www.apgt.ca/en/>>, s.a. Accessed: 2014-07-10

⁵³⁸ This code of ethics covers these desirable traits of character. The Montreal 'code of ethics' can be seen in full in Annexure D. It sets out the duties and obligations to the public, the duties and obligations to the employer, the duties and the obligations to the position of the tourist guide, the relations with colleagues, the contributing to the advancement of the position of the tourist guide and the provision of the tourist guide with its limitations to the Association Professionnelle des Guides Touristique, Chapitre de Montreal.

⁵³⁹ CTGA of Toronto, 'Canadian Tour Guide Association of Toronto website', <http://www.ctgaoftoronto.org/get_me_a_guide.html>, s.a. Accessed: 2014-07-10.

⁵⁴⁰ *Ibid.*

⁵⁴¹ *Ibid.*

⁵⁴² *Ibid.*

⁵⁴³ *Ibid.*

- A CTGA of Toronto Member maintains a professional appearance. The Member is well groomed and his/her clothing is neat and clean. If required by the company hiring them, the Member may wear specific clothing as defined by his/her contract of employment.⁵⁴⁴
- A CTGA of Toronto Member is an expert on the City. The Member gives accurate and objective information highlighting points of interest. The Member's presentation should be enthusiastic and engaging. A Member keeps current on new exhibits, seasonal events and other changes throughout the city.⁵⁴⁵
- A CTGA of Toronto Member is knowledgeable about the best routes in the City and uses that to fulfill the group's itinerary allowing for adjustments due to unexpected events.⁵⁴⁶
- A CTGA of Toronto Member will have the ability to conduct a tour in the language contracted.⁵⁴⁷
- A CTGA of Toronto Member will be at the tour's starting point before the agreed upon time. If the Member is late, he/she will try to make up the lost time. A Member will arrive as directed by the client or at least 15 minutes before the tour start time. If the group arrives late, the guide is not obligated to extend the tour.⁵⁴⁸
- A CTGA of Toronto Member will respect the confidentiality of the company the Member is working with or for and at no time solicit work from a client of the company employing them.⁵⁴⁹
- A CTGA of Toronto Member does not compromise a tour by patronizing venues that practice "kickback payments" to the guide and/or driver. A CTGA of Toronto Member does not abuse complimentary meal privileges nor allows the Member's driver to do so.⁵⁵⁰
- A CTGA of Toronto Member shows sensitivity and tailors the tour to the needs of his/her groups while not sharing their views on controversial subjects such as sex, religion and politics and maintains a pleasant manner even under difficult circumstances.⁵⁵¹

⁵⁴⁴ CTGA of Toronto, 'Canadian Tour Guide Association of Toronto website', <http://www.ctgaoftoronto.org/get_me_a_guide.html>, s.a. Accessed: 2014-07-10.

⁵⁴⁵ *Ibid.*

⁵⁴⁶ *Ibid.*

⁵⁴⁷ *Ibid.*

⁵⁴⁸ *Ibid.*

⁵⁴⁹ *Ibid.*

⁵⁵⁰ *Ibid.*

⁵⁵¹ *Ibid.*

- In the event of a complaint being filed against a CTGA of Toronto Member, the Member agrees to abide by the majority decision of the CTGA of Toronto Executive as to the action needed to address the complaint.⁵⁵²

As regards Australia, all members of the PTGAA must promise to demonstrate the Australian tourist guides' "code of conduct" in all of their actions and encourage its implementation across the Australian tourism industry through interactions with tourism businesses, organisations and other tourist guides. They also have to agree to abide by the Australian tourist guides' "code of conduct" and will:⁵⁵³

- Provide a professional service to visitors – ensuring they are treated with respect, care and a commitment to best practice guiding. Provide objective and fair interpretations of the places visited.⁵⁵⁴
- Make every effort to present true and accurate facts, and ensuring that a clear distinction is made between stories, legends, traditions and opinions.⁵⁵⁵
- Act honestly, fairly and professionally in all dealings with those who engage my services and with all colleagues within the tourism industry.⁵⁵⁶
- Educate visitors on the need to be respectful of our precious natural, cultural and heritage environments, minimising our footprint and impacts at all times.⁵⁵⁷
- As a representative of Australia, I will provide the same warm welcome to all visitors, and act in such a way as to bring credit to the country and to the promotion of Australia as a tourist destination.⁵⁵⁸
- On an ongoing basis, update and upgrade my guiding skills and knowledge through training, professional development and networking activities, gaining the required points for continued PTGAA membership.⁵⁵⁹

⁵⁵² CTGA of Toronto, 'Canadian Tour Guide Association of Toronto website',

<http://www.ctgaoftoronto.org/get_me_a_guide.html>, s.a. Accessed: 2014-07-10.

⁵⁵³ PTGAA, 'Professional Tour Guide Association of Australia', <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁵⁵⁴ *Ibid.*

⁵⁵⁵ *Ibid.*

⁵⁵⁶ *Ibid.*

⁵⁵⁷ *Ibid.*

⁵⁵⁸ *Ibid.*

⁵⁵⁹ *Ibid.*

- Declare to customers any relevant personal commercial interests, including commissions. I agree to not engage in forced visitor purchases or soliciting of tips.⁵⁶⁰
- Be mindful at all times of my duty of care and other occupational health and safety issues.⁵⁶¹
- Provide all goods and services as is presented in the job brief, itinerary and promotional materials.⁵⁶²
- Abide by all national, state and territory legislation governing the operation and conduct of tours, tour operators and tour guides.⁵⁶³
- As required for PTGAA guides, to establish my own complaint handling procedures.⁵⁶⁴
- Inform my clients that the PTGAA has a Complaints Handling Policy covering grievances or other issues with professional tour guides.⁵⁶⁵
- Continually maintain a valid Certificate II in First Aid & CPR, as a pre-requisite for guiding. First Aid course renewal to be completed every 2 years.⁵⁶⁶
- At all times have a current Certificate of Currency for Indemnity insurance to the value of \$10 million. (Unless working in a permanent part-time/full time job only, where employer provides insurance cover for guide.)⁵⁶⁷

However, the IATG in Australia also have a “code of guiding practices” which outlines the responsibilities and standards of tourist guides working within Australia.⁵⁶⁸ This states that the tourist guides has:

- To provide a professional service to visitors -professional in care and commitment, and professional in providing an objective understanding of the place visited - free from prejudice or propaganda.⁵⁶⁹

⁵⁶⁰ PTGAA, ‘Professional Tour Guide Association of Australia’, <<http://www.ptgaa.org.au/>>, s.a. Accessed: 2014-07-10.

⁵⁶¹ *Ibid.*

⁵⁶² *Ibid.*

⁵⁶³ *Ibid.*

⁵⁶⁴ *Ibid.*

⁵⁶⁵ *Ibid.*

⁵⁶⁶ *Ibid.*

⁵⁶⁷ The IATG’s ‘code of guiding practices’ is basically the same as PTGAA’s ‘code of conduct’.

⁵⁶⁸ IATG, ‘Institute of Australian Tour Guides’, <<http://www.iatg.com.au/>>, s.a. Accessed: 2014-07-10.

⁵⁶⁹ *Ibid.*

- To ensure that every effort is made to present true and accurate facts and ensure that a clear distinction is made between this truth and stories, legends, traditions, or opinions.⁵⁷⁰
- To act honestly, fairly and professionally in all dealings with all those who engage the services of guides and with colleagues working in all aspects of tourism.⁵⁷¹
- Ensure that guided groups treat with respect the natural, cultural and heritage environments, and minimise impacts on these at all times.⁵⁷²
- As representatives of Australia, to welcome visitors and act in such a way as to bring credit to the country and promote it as a tourist destination.⁵⁷³
- Regularly update and upgrade my guiding skills and knowledge through training and professional development activities.⁵⁷⁴
- Declare to customers any relevant personal commercial interests, including commissions, and never force visitor purchases or solicit tips.⁵⁷⁵
- Be mindful at all times of duty of care and other health and safety issues.⁵⁷⁶
- Provide all goods and services as presented in the tour itinerary and promotional material.⁵⁷⁷
- Abide by all national, state or territory legislation governing the operation and conduct of tours, tour operators and tour guides.⁵⁷⁸

These various ‘codes of conduct’ again point to the pivotal role the tourist guide plays in the industry and how key their behavior is to its success.

6.4. Cross-border tourist guiding

In most circumstances, borders can be seen as negative assets. Borders have become barriers for cross-border connections, which reduce the efficiency of and, naturally, the costs for cross-border linkage and border-related social and economic activities. This is especially the case when it comes to cross-border tourism, where tourist will need extra visa requirements and arrangements to travel between two neighbouring countries. However, it is more and more the case that borders may be

⁵⁷⁰ IATG, ‘Institute of Australian Tour Guides’, <<http://www.iatg.com.au/>>, s.a. Accessed: 2014-07-10

⁵⁷¹ *Ibid.*

⁵⁷² *Ibid.*

⁵⁷³ *Ibid.*

⁵⁷⁴ *Ibid.*

⁵⁷⁵ *Ibid.*

⁵⁷⁶ *Ibid.*

⁵⁷⁷ *Ibid.*

⁵⁷⁸ *Ibid.*

transformed into positive assets under certain conditions. They may attract tourists who do not live in border areas. As a special type of scarce resource, borders can serve as very special natural and artificial scenes.⁵⁷⁹ A border can also be considered as an institution that serves to mark the functioning physical start of land barrier (boundary, marker, boundary stone or border stone) between states or local administrations, to impose control over the flows of people, to regulate cross-border trade or to indicate the evolving gateway of facilitating contact and interchange.⁵⁸⁰

It is not only in South Africa that tourist guides might have to operate across borders. In Canada and Australia tourist guides have to operate between the different states within the country. The three countries mentioned in this study have already benefited from cross-border tourist guiding, where tourist guides are not just restricted to a specific area, region or territory that they work in, but they can also use their guiding skills across borders.⁵⁸¹ Many transnational borders have large, unexplored markets in tourism. This is why cross-border tourism needs to be promoted by the natural and geographical features of the borders themselves, or by cultural and historic activities in these cross-border regions. These alliances between countries have been introduced to form a common goal of collaboration in an effort to reduce barriers, tariffs, and import and export quotas and stimulate economic cooperation and integration within a certain region.⁵⁸²

When you consider South Africa and its nine different provinces, and the six neighbouring countries that border it, one can see that it will play a significant role in the tourism industry, especially when it comes to guided tours. It is increasingly becoming apparent that tourist guides have to often operate between the different provinces and the tours may even extend to the neighbouring countries. In South Africa the NDT is looking into engaging with the SADC countries to discuss the harmonisation of training standards across the region and have included cross-border tourist guiding into their future strategic plan. By considering this it might present opportunities for registered tourist guides to extend their services across the borders.⁵⁸³

⁵⁷⁹ R, Guo, *Border sightseeing and cross-border tourism* 2nd Edition, pp. 323-336.

⁵⁸⁰ *Ibid.*

⁵⁸¹ U. Cloesen, Approaches towards nature based tourism policies in Australia and New Zealand, *Asia Pacific Journal of Tourism Research* 8(1), 2007, pp. 72-73.

⁵⁸² H. Walchowiak (Ed.), *Tourism and Borders. Contemporary Issues, Policies and International Research*, pp. 1-7.

⁵⁸³ South Africa Government Website. 'Minister calls on tourists to use registered tour guides only', <<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=16086&tid=27819>>, s.a. Accessed: 21 June 2011.

In Australia a new campaign was started, “Tourism Australia and Visa”, kicking off a three year union that will involve using Visa’s Cross Border “#notatourist⁵⁸⁴” campaign to show off why ‘There’s Nothing like Australia’. Both Tourism Australian and VISA will work in the Asia Pacific region to extend promotions highlighting different aspects such as Australian wood and wine, unique coastal and aquatic experiences. This will help drive the message through banking partners, travel partners and merchants whom wish to convert interest into dollar bills. This will help to highlight across all of Australia’s target markets why it is a must-see destination, yielding high international travellers.⁵⁸⁵ While there is no bordering country in Australia, however tours can also include New Zealand because these two countries are so close to each other, and therefore form a particular tourism region.

In the case of Canada the tours may also go into North America. There has been a great deal of cross-border collaboration between the United States and Canada.⁵⁸⁶ One indication of this long history of cross-border coordination between these two countries can be seen in the establishment of the North American Free Trade Agreement in force since January 1994.⁵⁸⁷ This indicates the establishment of several international parks monuments along the US-Canadian border. This resulted in conservation efforts and good relations between the two countries.⁵⁸⁸ About 30 million visitors cross the border every year between the United States and Canada. These visitors may arrive via boat or airplane from the USA and other nations.⁵⁸⁹

As can be seen in Table 5 below, it can be said that tourism can contribute to knowledge of foreign places, empathy with other peoples, and tolerance that stems from seeing the place of one’s own society in the world. Tourism is heralded as a sector that contributes to building a global cultural peace.

⁵⁸⁴ The #notatourist was created by Visa. It is a campaign that taps social sharing for travellers all over the world. The campaign will run until August 31 in countries in the Asia Pacific, Central Europe, Middle East and Africa regions. The idea is to help travellers explore destinations as local inhabitants—not as tourists—and lure more tourists to new destinations beyond the regular tourist sites.

⁵⁸⁵ H. Edensor, *Tourism Australia stops chasing tourists*, *The Nibbler: Bite size news from the MICE markets*, 08-09-2015.

⁵⁸⁶ H. Walchowiak (Ed.), *Tourism and Borders. Contemporary Issues, Policies and International Research*, pp. 1-7.

⁵⁸⁷ *Ibid.*

⁵⁸⁸ B. Bramwell & B. Lane (Eds.), *Aspects of Tourism. Tourism Collaboration and Partnerships. Politics, Practice and Sustainability*, pp. 21-26.

⁵⁸⁹ Government of Canada, ‘Canadian Government Website’, <[http://www.canada.gc.ca/aboutcanada-
ausujetcanada/tour/menu-eng.html](http://www.canada.gc.ca/aboutcanada-ausujetcanada/tour/menu-eng.html)>, s.a. Accessed: 2011-08-14.

Year	Place	Document	Citation on peace
1980	Manila, Philippines	<i>Declaration on World Tourism</i>	[tourism as a] “vital force for peace and international understanding”
1985	Sofia, Bulgaria	<i>Tourism Bill of Rights and Tourist Code</i>	[tourism’s contribution to] “improving mutual understanding, bringing people closer together and, consequently, strengthening international cooperation”
1999	Santiago, Chile	<i>Global Code of Ethics for Tourism</i>	“through the direct, spontaneous and non-mediatised contacts it engenders between men and women of different cultures and lifestyles, tourism presents a vital force for peace and a factor of friendship and understanding among the people of the world”

Table 5: Examples of WTO statements mentioning a link between tourism and peace

From: Noel Salazar’s model used in the article “Building a ‘Culture of Peace’ through Tourism: Reflexive and analytical notes and queries”⁵⁹⁰

The institutional structure, International Institute for Peace through Tourism (IIPT), advocates this for tourism. This non- profit organization, founded by Louis D’Amore in 1986 (the UN International Year of Peace)⁵⁹¹, is a coalition of international travel industry organizations dedicated to:

Fostering and facilitating tourism initiatives which contribute to international understanding and cooperation, an improved quality of environment, the preservation of heritage, and through these initiatives, helping to bring about a peaceful and sustainable world.⁵⁹²

This IIPT is based on a vision of the world’s largest industry becoming the first “global peace industry” and the belief that every traveller is potentially an “Ambassador for Peace”. The IIPT has taken on the difficult task to identify a variety of initiatives ranging from global and regional conferences; the establishment of Global Peace Parks; the development of curricula, student and tourism executive ambassador programs to assist developing countries with tourism; collaborations with other organizations like UNESCO; and passing its own declarations. Tourism can be used as a collaboration tool and open dialogue between policy makers, industry representatives, and scholars in order to facilitate peace through the tourism industry as well as peace within the tourism industry.⁵⁹³

⁵⁹⁰ N. Salazar, “Building a ‘Culture of Peace’ through Tourism: Reflexive and analytical notes and queries”, p. 324.

⁵⁹¹ CNW News Group, ‘Harper Government announces that Canadians can cross Canada-US border with a rental vehicle from the United States’, <<http://www.newswire.ca/en/story/976539/harper-government-announces-that-canadians-can-cross-canada-us-border-with-a-rental-vehicle-from-the-united-states>>,s.a. Accessed: 23-06-2014.

⁵⁹² N. Salazar, “Building a ‘Culture of Peace’ through Tourism: Reflexive and analytical notes and queries”, *Universitas Humanística* no.62 July -December 2006, pp. 319-320.

⁵⁹³ N. Salazar, “Building a ‘Culture of Peace’ through Tourism: Reflexive and analytical notes and queries”, *Universitas Humanística* no.62 July -December 2006, pp. 322-324.

The North American Free Trade Agreement (NAFTA) is an agreement signed by Canada, Mexico and the United States, creating a trilateral trade bloc in North America which deals with issues related to environmental conservation and in turn has implications for the tourism industry.⁵⁹⁴ This is similar to the case in many of the European states sharing integrated migration and visa systems, the so called, Schengen Visa. The European Union uses regional structural funds that are given to communities and cross-border regions for the development of tourism-related infrastructure, to conserve cultural and ecological resources and to reduce cross-border differences.⁵⁹⁵ Cross-border tourist guiding provides the tourism industry with exceptional opportunities. In particular, with the support of tourism organisations to facilitate movement across borders, there is a wider tourism arena for tourist guiding and it also results in the expansion of economic benefits as well as advancing greater environmental and cultural interest.⁵⁹⁶

When entering the United States by land or water, all Canadian citizens or any other tourist are required to present one of the following valid documents: a passport and a valid visa (if you are arriving from a country from which one is required), a NEXUS card, a Free and Secure Trade (FAST) card or an enhanced driver's licence/enhanced identification card or a Secure Certificate of Indian Status (when this certificate is available and approved by the United States). When you enter Canada, a border services officer may ask to see your passport and a valid visa (if you are arriving from a country from which one is required). If you are a United States citizen (U.S.), you need a passport to enter Canada.⁵⁹⁷ The Canada Border Services Agency's (CBSA) role is to manage the nation's border by administering and enforcing over 90 domestic laws that govern trade and travel, as well as international agreements and conventions.⁵⁹⁸ Canada has recently implemented an entry requirement called an Electronic Travel Authorization (eTA). As of March 15, 2016, travellers who do not normally need a visa will need to get an eTA before flying to or transiting through Canada. This

⁵⁹⁴ B. Bramwell & B. Lane (Eds.), *Aspects of Tourism. Tourism Collaboration and Partnerships. Politics, Practice and Sustainability*, pp. 26-28.

⁵⁹⁵ *Ibid*, p. 15.

⁵⁹⁶ *Ibid*, pp. 1-7.

⁵⁹⁷ CNW News Group, 'Harper Government announces that Canadians can cross Canada-US border with a rental vehicle from the United States', <<http://www.newswire.ca/en/story/976539/harper-government-announces-that-canadians-can-cross-canada-us-border-with-a-rental-vehicle-from-the-united-states>>, s.a. Accessed: 23-06-2014.

⁵⁹⁸ Government of Canada, 'Canadian Government Website', <<http://www.canada.gc.ca/aboutcanada-ausujetcanada/tour/menu-eng.html>>, s.a. Accessed: 2011-08-14.

entry requirement applies to foreign nationals who are visa-exempt and who travel to Canada by air. The only exceptions include U.S. citizens and travellers with a valid visa.⁵⁹⁹

Tourism Australia is now increasingly working with partners to better target international travellers. By doing this they will make sure they turn the interest of their tourism campaigns which will help to contribute to the Australian economy.⁶⁰⁰ Australia and New Zealand have also formed relations which is referred to as the Trans-Tasman Relationship (TTR). The TTR can be seen as cross-border tourism between these two countries.⁶⁰¹ The Australian-New Zealand Maritime Treaty was established in 2004 and is a treaty between the two countries in which they formally delimited the maritime boundary between them. It formalised the ocean borders that have been *de facto* recognised by both countries since the early 1980s, when the United Nations Convention on the Law of the Sea was created. The treaty defines the boundaries between Australia and New Zealand's exclusive economic zones and continental shelf claims. Specifically, it defines two separate maritime boundaries, both of which are approximate median points between Australian and New Zealand territory. The two separate boundaries are not connected.⁶⁰² This is due to the fact that these two countries are on opposite sides of the Tasman Sea.⁶⁰³ However, these two countries are relatively close to each other, while Australia and New Zealand are of course two sovereign nations, it seems that there are strong ties between them: The economic, cultural, migration, defence, governmental and people-to-people linkages suggest that a close relationship has developed.⁶⁰⁴

The invention of air travel changed the geography of Australasia and as far back as the 1973 Trans-Tasman Travel Arrangement formalised a long-standing understanding that Australians and New Zealanders could visit, live and work in each other's countries without restriction. Australia was no longer over the sea, it was just across the "ditch." This also applies to people travelling between the

⁵⁹⁹ Government of Canada, 'Canadian Government Website', <[http://www.canada.gc.ca/aboutcanada-
ausujetcanada/tour/menu-eng.html](http://www.canada.gc.ca/aboutcanada-
ausujetcanada/tour/menu-eng.html)>, s.a. Accessed: 2011-08-14.

⁶⁰⁰ H. Edensor, Tourism Australia stops chasing tourists, *The Nibbler: Bite size news from the MICE markets*, 08-09-2015.

⁶⁰¹ L. Moldofsky, Friends, Not Family. It's time for a new maturity in the trans-Tasman relationship, *Time Pacific* no.17, 30-04-2001.

⁶⁰² D.A. Colson & R.W. Smith (Eds.), *International Maritime Boundaries*, Vol. 5, pp. 3759-3777.

⁶⁰³ L. Moldofsky, Friends, Not Family. It's time for a new maturity in the trans-Tasman relationship, *Time Pacific* no.17, 30-04-2001.

⁶⁰⁴ Anonymous [B], The Sydney Morning Herald, NZ, Australia "should consider merger", <<http://www.smh.com.au/news/world/nz-australia-should-consider-merger/2006/12/04/1165080875361.html>>, December 2006, Accessed: 2012-08-16.

two countries for holiday purposes.⁶⁰⁵ In 2010 the Australia-New Zealand Closer Economic Relations (CER) Trade Agreement was developed along the lines of TTR which brought the two countries closer together and underlines the importance of the economic relationship in trade and investment between the two countries.⁶⁰⁶

It could be argued that borders influence tourism since they are set in place to control the flow of people by enforcing restrictions either for desired or undesired people coming and leaving as they please in and out of a specific country.⁶⁰⁷ This might be one of the reasons for the recent increased interest in cross-border tourism and cross-border tourist guiding. This will mean that a tourism destination will have to look into a relationship between international neighbours and the way they organise their borders. This in turn means that regional, local and national policies will need to be implemented. The concept of cross-border tourist guiding is relatively new in the international tourism sector. In South Africa it is still in the planning phase, while it appears to be already developing in both Australia and Canada. While it can be said that tourism is a complex industry, it is important to note that political boundaries are also complex lines of contrast, similarities, struggles and economic opportunities. This in itself offers a rich opportunity for potential research and tourist development for the tourist guide.

In the light of this and within the scope of this study another aspect that will be included will be that of cross-border tourist guiding. About 30 million visitors cross the border every year travelling from the United States of America to Canada and an additional 18 million visitors arrive by boat or airplane from the USA and other countries. This is why the government of Canada is committed to building a partnership and strengthening Canada's tourism sector. In this regard, the minister of State, M. Bernier said: "This important change will provide more options for Canadian travellers and will essentially benefit the tourism industry."⁶⁰⁸ He went further by saying that it is government's top priority to create jobs, growth and prosperity in the long term through this sector.⁶⁰⁹

⁶⁰⁵ C. Walrond, 'Kiwis overseas - Migration to Australia', *TeAra - the Encyclopaedia of New Zealand*, updated 13-07-12.

⁶⁰⁶ Australian Government, "Australian government website", <<http://australia.gov.au/about-australia/our-country/our-people>>, s.a. Accessed: 2012-08-06.

⁶⁰⁷ H. Walchowiak (Ed.), *Tourism and Borders. Contemporary Issues, Policies and International Research*, pp. 14-18.

⁶⁰⁸ CNW News Group, 'Harper Government announces that Canadians can cross Canada-US border with a rental vehicle from the United States', <<http://www.newswire.ca/en/story/976539/harper-government-announces-that-canadians-can-cross-canada-us-border-with-a-rental-vehicle-from-the-united-states>>, s.a. Accessed: 23-06-2014.

⁶⁰⁹ H. Walchowiak (Ed.), *Tourism and Borders. Contemporary Issues, Policies and International Research*, pp. 19-20.

From the above, it is therefore apparent that tourism is indeed a key sector in the three countries selected for this study. It is however also apparent that they have developed at varying degrees at different times. This however does not obviate against the value of a comparative analysis. Canada and Australia have already benefited from cross-border tourist guiding, where tourist guides are not just restricted to a specific area, region or territory that they work in, but they can also use their guiding skills across borders.⁶¹⁰

The practical implications of tourist guiding of all three countries are relatively similar, while there are varying degrees of requirements, each has some sense of quality control. Interestingly South Africa appears to have focused on this aspect more consistently than Canada and Australia.

⁶¹⁰ U. Cloesen, Approaches towards nature based tourism policies in Australia and New Zealand, *Asia Pacific Journal of Tourism Research* 8(1), 2007, pp. 72-73.

CHAPTER 7 CONCLUSION

Conclusion

This study sought to show the importance of the tourist guide because they are one of the most visible players in the tourism industry. To date, relatively little scholarly attention has been given to tourist guides and guiding, not to speak of the links that tourist guides may have with legislation and sustainable development. Thus, it is considered that there is a need for governments to implement more responsive and responsible tourism policies with regards to tourist guiding in order to ensure sustainability.. It is very apparent that a tourist guide is crucial to the tourism industry. As such the importance of the tourist guide is apparent by looking at Don DeLillo interesting definition (front page) where he claims that to be a tourist it gives a person the “freedom to escape accountability” and drift across continents and languages. It is often expected of a tourist to be “stupid” and walk around “dazed and always squinting on maps.” The tourist can be seen as somewhat clueless, about the how, when and where of the destination’s culture and attractions. The tourist can be spotted a mile away and is often granted immunities and broad freedoms.⁶¹¹ It is in this capacity that the tourist guide becomes imperative.

Keeping this definition about the tourist in mind, one can grasp what it actually takes to be a good tourist guide.⁶¹² By focusing on the different aspects of a tourist in this definition, this study set out to explore the indispensable role of the tourist guide. This study also sought to show the importance of tourist guiding legislation by putting South Africa, Canada and Australia in a “multi-conjunctural” comparative perspective. It is evident that the legislation discussed in this study endorsed the essential role of the tourist guide within the tourism industry. Thus it, highlighted important factors such as whether tourist guides are being regulated; the importance of policy development; and the importance of tourist guiding associations within each country.

In identifying the various policy implications with regards to tourist guiding, the research presents the major similarities and differences within each of the chosen countries. The study also sought to provide a history and development of tourist guiding within the global context and how it was then further developed within each of the selected countries. By doing this the study discusses how the tourism industry developed and when the relevant pieces of tourist guiding legislation came into use in the respective countries.

⁶¹¹ D. DeLillo, *The Names*, p. 43.

⁶¹² South Africa Government Website. ‘Minister calls on tourists to use registered tour guides only’, <<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=16086&tid=27819>>,s.a. Accessed: 21 June 2011.

By looking at this study it can be said that the tourist guides have a variety of roles to play. The tourist guide can be seen as a central front-runner between the visitor and the visited, they are in a pivotal position and have great opportunities to make contributions to the sustainable development of a destination. This means the tourist guide has to constantly keep up with the global roles and responsibilities of the tourist guide. This “glocalised” role of the tourist guide helps to grasp the interconnections between the global and local trends in tourism.⁶¹³ Furthermore, by looking into the legislation implemented within each country, this study looks at the importance of professionalisation of tourist guiding. This is because a skilful guide, is one of the most valuable assets of a country. Nowadays, tourist guides acquire specialised knowledge and training to become professional tourist guides. The importance of professionalism of tourist guides is to ensure that the tourist experience is the best possible and of a high standard. The professionalism of tourist guiding goes beyond addressing just the training but also addressing the general perception that tourist guiding can just be seen as a “hobby”. The appreciation for the role of the tourist guide as a first point of contact, and invariably, the point of most interaction with a tourist is not sufficiently appreciated. It is evident that a local professional guide can help a tourist discover a country and ensure the visit is enjoyable.⁶¹⁴

Taking into account the ubiquity of tourist guiding in countries like South Africa, Canada and Australia the importance of tourist guiding legislation and regulation by government needs to be emphasised. It has a variety of different roles to play in response to the expectations of the various tourism stakeholders, the tourist guides, the destination resources, the local communities, the employers, the governmental authorities and organisation related to tourist guiding.⁶¹⁵ This can be linked to the very important aspect in tourism concerning that of sustainability and legislation development. With travel and tourism being the number one service industry in most countries, as well as one of the largest and fastest-growing industries in the world, tourism legislation should become the nexus of federal, state, common law, and international laws that regulate the day-to-day workings of the travel industry. Tourism legislation incorporates elements of contract law, employment issues, tourism and hospitality procedures, anti-trust rules, regulatory and agency compliance, and knowledge of certain international treaties into a comprehensive guide for the travel

⁶¹³ N.B. Salazar, Tourism and glocalization “Local” Tour Guiding, *Annals of Tourism Research*, vol.32 (3), 2005, p. 628.

⁶¹⁴ AP, J. & K.F. WONG, Case study on tour guiding: professionalism, issues and problems. *Tourism Management*.22, 2001.

⁶¹⁵ S., Rockloff, Tourism Research Facilitator at Central Queensland University Bundaberg, Bargara Beach, 9-04-2013.

industry.⁶¹⁶ This study set out the necessity of tourist guiding legislation within South Africa, Canada and Australia by looking into what legislation was implemented to regulate tourist guides. The legal judicial system is a main system that regulates almost every part of the society, including tourism and hospitality industry and in the case of this study, the regulation of tourist guides. Law, in this sense, helps to safeguard the rights and obligations that these two contracting parties are entitled to. Without a properly functioning legal system, the tourism industry will flounder and people will be reluctant to enter into transactions with each other. Fundamentally the tourism industry's regulations are designed to protect businesses, visitors, the destination and the community by enforcing safe and responsible practices.

On the other hand government organisation in South Africa, Canada and Australia are in need to have the authority to speak for the tourist guides, to represent the interests of the tourist guides to the government, tourism industry and the community, and to protect their personal benefits from being invaded. They endeavour to raise public, private and governmental awareness of the valuable role of the tourist guides and the roles they can play. These organisations can also function as a communication forum among local tourist guides, tour operators, the government and other related associations as well as the important tourist bodies. This will need the support of the government and the co-operation of the industry members.⁶¹⁷ This study sought to show that governments have become a prominent feature in the tourism industry, although in some countries it may seem like they are unsupportive, discouraging, or preoccupied with other sectors.⁶¹⁸ It is clear that the tourism industry cannot survive without the help of government.

In spite of the fact that tourist guides potentials are sometimes blocked by the issues and problems of instant money-making-centred tourist guiding conduct, below-cost group receiving industry practices and unfair remuneration systems, absence of protection measures to ensure the guides' interests, opportunism in guiding and lenient certificating requirements, lack of professionalism and effective training, ineffective monitoring measures, and limited awareness of sustainable development, there is some relief for tourist guide. This is evident in countries which implement tourist guiding regulations. In order to better the situation, unhealthy travel and trade industry practice should be banned; effective certificating, training and monitoring measures should be developed and

⁶¹⁶ B. Rabotić, Professional tourist guiding: The importance of interpretation for tourist experience, *20th Biennial International Congress: New Trends in Tourism and Hotel Management, Opatija (Croatia)*, 06–08.05.2010, p. 1.

⁶¹⁷ South Africa Government Website. 'Minister calls on tourists to use registered tour guides only', <<http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=16086&tid=27819>>, s.a. Accessed: 21 June 2011.

⁶¹⁸ W.R. Kerr, *Tourism and Public Policy Approaches and Theories*, p. 27.

implemented; tourist guides' personal interests should be protected and local awareness of sustainability, in particular that of the industry members, should be fostered. Serious efforts of government administration as well as industry members and tourist guides are required if tourist guides are to fulfil their potential as agents of sustainable development as well as ambassadors of the destination.

South Africa, like Canada and Australia, makes use of national government for developing tourism legislation. Each country has however, a unique approach to policy formulation and the regulation of tourist guides, with specific variations in the outcome and variable of governance and representation. The pivotal role of the tourist guide as a first point of contact, and invariably, the point of most interaction with a tourist is not always appreciated. By developing a legal infrastructure this can enhance the tourist guide's position and status. Thus, by implementing legislation and a code of ethics for tourist guides it helps to regulate tourist guides and keep tourist guiding services legal and professional.

In comparing these three long-haul, multi-cultural Commonwealth countries, it is interesting to note how their tourist guiding legislation differs. While sustainable tourism is obviously critical to all three countries in terms of GDP, it is interesting to take note that South Africa, which only formalised tourist guiding legislation later than Canada and Australia, appears to have the most rigorous and regulated system.

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Annexure A: South Africa; acts and regulations outline

Tourism acts regulating South Africa				
SOUTH AFRICA	ACT	SHORT DESCRIPTION	DATE OF COMMENCEMENT	OUTLINE
		<i>Tourism Act 3 of 2014</i> ⁶¹⁹	Regulations in respect of tourist guides, to provide for the development and promotion of sustainable tourism for social, economic and environmental benefits of South Africa.	Government Notice 268 in Government Gazette 37538 dated 7 April 2014. Commencement date: 16 June 2014 [Proc. No. 37, Gazette No. 37719].

⁶¹⁹ These regulations were published under the repealed *Tourism Act 72 of 1993*, but remain in force under the *Tourism Act 3 of 2014*, until repealed or replaced (See item 7 of Schedule 1 to *Act 3 of 2014*).

			<p>(3) (a) The application form for the renewal of registration referred b in section 21A (6) (b) of the <i>Act</i> must in all material respects, be substantially similar to the form in Annexure D. (b) The fee payable upon registration is R 240, 00 and may be increased biannually after notification and consultation with all nine provinces.</p> <p>(4) (a) The fields of specialisation contemplated in section 21A(7) of the <i>Act</i> are as set out in Annexure G. (b) Any tourist guide who wishes to obtain a new registration certificate and badge, reflecting the acquisition of a competence in a field of specialisation or an additional competence within such a field, must apply on an application form that, in all material respects, is substantially similar to the form in Annexure E. (c) The application must be accompanied by - (i) proof of the competence or additional competence acquired; (ii) the fee of R60; and (iii) Additional photographs if required. (d) The new registration certificate must in all material respects be substantially similar to the form in Annexure B.</p> <p>(e) The new badge must in all material respects be substantially similar to the illustration in Annexure C. (f) Upon receipt of the new certificate and badge the tourist guide must return the certificate of registration previously issued and any copy or duplicate thereof, as well as the old badge, to the registrar.</p>
<p><i>Tourism Act 72 of 1993, this Act has been Repealed</i></p>	<p>Regulations In Respect of Tourist Guides</p>	<p>Commencement Date: 1 September 1993</p>	<p>To make provision for the promotion of tourism to and in the Republic; the further regulation and nationalization of the tourism industry; measures aimed at the maintenance and enhancement of the standards of facilities and services hired out or made available to tourists; and the co-ordination and rationalization, as far as practicable, of the activities of persons who are active in the tourism industry; with a view to the said matters to establish a board with legal personality which shall be competent and obliged to exercise, perform and carry out certain powers, functions and duties; to authorize the Minister to establish a grading and classification scheme in respect of accommodation establishments, the membership of which shall be voluntary; to authorize the Minister to establish schemes for prescribed sectors of the tourism industry, the membership of which shall be voluntary; to make provision for the registration of tourist guides; to prohibit any person to act for gain as a tourist guide unless he has been registered as a tourist guide in terms of the <i>Act</i>; to authorize the Minister to make regulations; and to provide for matters connected therewith.</p>

Annexure B: Canada; acts and regulations outline

Tourism acts regulating Canada				
Canada	ACT	SHORT DESCRIPTION	DATE OF COMMENCEMENT	OUTLINE
	<i>Travel and Tourism Act, RSNWT (Nu) 1988, c T-7</i>	TRAVEL AND TOURISM ACT relating to outfitters and tourist guides with recommendations on the licenses needed and the requirements to act as an outfitter or a tourist guide.	AS AMENDED BY NORTHWEST TERRITORIES STATUTES: R.S.N.W.T. 1988,c.127(Supp.) In force January 15, 1992: SI-001-92	<p>Permit (2) No person shall, unless he or she holds a permit (a) commence the construction of a tourist establishment; (b) move the buildings of a tourist establishment to a new location; (c) enlarge a tourist establishment; or (d) Allow a tourist establishment to be occupied.</p> <p>Outfitters and guides 3. Except as otherwise provided by this <i>Act</i>, the regulations, the <i>Wildlife Act</i> or the regulations made under the <i>Wildlife Act</i>, no person shall, unless he or she holds a permit, (a) provide equipment to be used in connection with an outdoor recreational activity; or (b) <i>Act</i> as a guide in connection with an outdoor recreational activity.</p> <p>Duties of Board 10. The Board shall (a) make recommendations to the Minister designating a tourist occupation as being suitable for training and respecting the certification of persons in a designated tourism occupation; (b) make recommendations and review recommendations made to the Board with respect to the training, examination and certification of persons in designated tourism occupations; and (c) Perform the duties that the Minister assigns.</p> <p>Powers of Minister 11. The Minister may (a) establish the rules and procedures for the administration and operation of the Boards (b) provide for the remuneration and expenses of Board members; and (c) Assign duties to the Board with respect to any matter within the scope of this <i>Act</i>.</p> <p>Offence and punishment 12. Every person who contravenes this <i>Act</i> or the regulations is guilty of an offence and liable on summary conviction, (a) for a first offence, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding six months or to both; and (b) For a subsequent offence, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding six months or to both.</p> <p>Limitation period 13. A prosecution for an offence under this <i>Act</i> may not be commenced after one year from the time when the offence was committed, except with the consent of the Minister.</p> <p>Regulations 14. The Commissioner, on the recommendation of the Minister, may make regulations (a) exempting any person or tourist establishment from the operation of any provision of this <i>Act</i> or the regulations; (b) prescribing the powers and duties of persons appointed to administer this <i>Act</i>; (c) classifying tourist establishments and establishing standards for tourist establishments; (d) establishing a rating system for the classes of tourist establishments; (e) respecting the issuing of rating signs or badges to the owners of tourist establishments indicating the ratings assigned to the tourist establishments and requiring the rating sign or badge to be displayed;</p>
	<i>Outfitter and Guide Regulations, 1988,</i>	These regulations may be cited as The Outfitter and Guide	This regulation was originally published as Reg 1 but was corrected by a notice in the	<p>PART III Guides Licence 11(1) No person shall act as a guide unless he or she is employed by a licensed outfitter and holds a valid and subsisting guide's licence issued pursuant to these regulations. (2) Every person to whom a guide's licence has been issued shall carry his guide's licence on his person while providing a guiding service and shall, when requested by an officer to do so, immediately provide the licence to the officer for examination. 28 Oct 88 cR-19.01 Reg 2 s11; 16 July 93 SR 50/ 93 s5. Issue of licence, terms and conditions 12(1) Subject to subsection (2), the minister may issue a guide's licence to any individual who: (a) in the case of an application for a guiding licence with respect to: (i) fishing, is 16</p>

	Regulations, 1988.	December 16, 1988 Gazette.	<p>years of age or older; or (ii) hunting wildlife, is 18 years of age or older; (b) is a Canadian resident or held a valid guide's licence in the calendar year immediately preceding the date of his application for a guide's licence; (c) has paid the licence fees determined in accordance with Table 2 of the Appendix; and (d) has provided any information that the minister may require. (2) Every guide's licence must identify: (a) the name, permanent mailing address and age of the guide; (b) the name of the employer of the guide. (3) The minister may, as a term or condition of any guide's licence, limit or specify: (a) that the guide is authorized to provide a guiding service with respect to: (i) fishing or fishing for one or more species of fish; (ii) hunting big game or one or more species of big game; (iii) hunting game birds or one or more species of game birds; (iv) any specified combination of fishing or hunting big game or game birds; (b) the area of land with respect to which the guide is authorized to provide a guiding service to hunt wildlife; (c) the bodies of water with respect to which the guide is authorized to provide a guiding service for fishing; (d) the species of wildlife and the amount of each species that may be taken annually in connection with his guiding service for any area of land with respect to which he is authorized to act as a guide; (e) the species of fish and the amount of each species that may be taken annually by clients of the guide from any or all bodies of water with respect to which the guide is authorized to provide a guiding service; (f) the number of clients to whom the guide is authorized to provide a guiding service for fishing or hunting big game or game birds; (g) any other terms and conditions that the minister may consider appropriate.</p> <p>Licence, term and fee 13(1) A guides licence expires on December 31 of the year in which it is issued and is subject to: (a) the terms and conditions specified in the licence; and (b) these regulations. (2) Subject to any terms and conditions the minister considers appropriate, a guide's licence may be renewed. (3) The fee for a guide's licence is the fee determined in accordance with Table 2 of the Appendix.</p> <p>Records, keeping and production of 14 Every person to whom a guide's licence has been issued shall: (a) where required by the minister, keep a permanent written record of: (i) the name and address of all clients to whom a guiding service was provided; (ii) with respect to all wildlife harvested by clients of his guiding service, the amount of each species of wildlife so harvested; (iii) with respect to all fish harvested by clients of his guiding service: (A) the amount of each species of fish harvested and the body of water from which the fish were harvested; or (B) the number of clients who harvested fish and the body of water from which the fish were harvested; and (b) make all records mentioned in clause (a) available for inspection by an officer at the request of the officer. 2</p> <p>Guide to accompany clients 15(1) Where a guide is guiding a client who is required pursuant to The <i>Wildlife Act</i> or the regulations pursuant to that <i>Act</i> to be guided while hunting, the guide shall accompany his or her client. (2) For the purposes of subsection (1), a guide accompanies a client where the guide: (a) takes the client to the blind, pit or tree stand where the client remains until the client is picked up by the guide within 24 hours from the time the client was taken to the location; (b) positions a client in a stationary position for the purpose of driving, pushing or directing game toward the client and the guide is taking steps to drive, push or direct the game toward the client; or (c) keeps the client within sight while the client is in pursuit of game.</p> <p>Duty of guide 16 Every person to whom a guide's licence has been issued is responsible for ensuring the reasonable safety of all clients for which he is providing a guiding service.</p>
By-Law G-2	Legislation Concerning Tourist Guides	12 January 1996	<p>1. In this by-law, the following words mean: "guided tour": a guided tour of historic sites, buildings and monuments, picturesque places or of a cultural character; "to guide": to act as a tourist guide; "tourist guide" or "guide": a person who holds a certificate of qualification as such, issued by an institution accredited by the Ministère de l'Éducation et de la Science, and designated by the executive committee. 2. No guided tours may be conducted without the permit referred to in article 7. 3. Article 2 does not apply to a pre-recorded text, provided it is broadcast inside a vehicle and has been filed beforehand with the city archives, together with a certificate from the director of the Service du développement économique</p>

attesting to its accuracy. 95-085, a. 42. 4. Article 2 does not apply to persons who conduct tours only of the institution or establishment where they work. 5. A pilgrimage involving the tour of more than one place of worship or other places in the city is a guided tour; guides must hold the permit provided for in article 7. 6. Each firm or organization offering guided tours must hire guides holding the permit referred to in article 7. 7. A tourist guide permit is issued to any person who is a tourist guide and complies with chapter II of the By-law concerning special taxes on businesses, occupations and activities (chapter T-3). However, volunteer guides are exempted from paying permit issue fees. 95-246, a. 31. 8. In the discharge of his duties, each tourist guide must: (1) display the identification card provided by the city and bearing his photograph and tourist guide permit number on the first side, and social insurance number on the back; (2) be properly and decently dressed; (3) not be under the influence of alcohol or drugs; (4) convey information strictly in accordance with historical, geographic, economic, social and cultural facts. 9. No vehicle used for guided tours may be parked elsewhere than at a station designated for that purpose by the director of the Service des travaux publics. 10. No tourist guides may, whether on sidewalks, on streets, in parks or in public places: (1) address passers-by by words or gestures, and offer them their services or those of their employers; (2) conduct advertising for commercial establishments, restaurants, hotels or similar establishments; (3) impede pedestrian traffic. 11. The director of the Service du développement économique may require that tourist guides who, before August 30, 1984, held a tourist guide permit under the By-law concerning tourist guides (2519), to pass a qualifying examination whose conditions he determines. No person who fails that examination may have his permit renewed. However, a new permit may be obtained by complying with the provisions of article 7. 95-085, a. 43. 12. The executive committee may, by ordinance: (1) designate the institutions authorized to issue tourist guide certificates of qualification; (2) set the eligibility and other terms and conditions governing tourist guide courses and examinations, examination subject matter, applicant evaluation criteria, and procedure to obtain related certificates; (3) provide periodic retraining courses for tourist guides, and set their terms and conditions; (4) establish a tourist guide language proficiency evaluation method; (5) plan guided tours; (6) require that tourist guides file their fee schedule or set their fees. 13. Any peace officer or city agent who believes on reasonable grounds that a person not holding the permit provided for in this by-law acts as a tourist guide may order that person to immediately cease all activities. Any person who fails to comply with the order of a peace officer or city agent, or resumes work after having stopped, contravenes this by-law. 14. Any person who contravenes this by-law is guilty of an offence and is liable: (1) for a first offence, to a fine of \$100 to \$300; (2) for a second offence, to a fine of \$300 to \$500; (3) for a subsequent offence, to a fine of \$500 to \$1000. 15. A tourist guide who has been convicted of 2 offences under this by-law in the same year loses the right to renew his permit for a period of one year following the one during which he was found guilty of a second offence.

Annexure C: Australia; acts and regulations outline

Tourism acts regulating Australia				
Australia	ACT	SHORT DESCRIPTION	DATE OF COMMENCEMENT	OUTLINE
		<i>Queensland Tourism Services Regulation of 2003</i>	This <i>Act</i> may be cited as the <i>Tourism Services Act of 2003</i> (The <i>Act</i>) protects Queensland's tourism industry by ensuring all inbound tour operators and tour guides operate in an ethical and professional way, and in the best interests of clients. Also corresponds with law of another State or another country that provides for the same, or	made by the Governor in Council on 13 November 2003 placed in government gazette 14 November 2003

	<p>substantially the same,</p> <p>matter as this <i>Act, the Fair Trading Act of 1989, the Travel Agents Act of 1988, the Competition and Consumer Act of 2010</i> or a provision of this Act, the Fair Trading Act 1989, The <i>Travel Agents Act of 1988</i> or the <i>Trade Practices Act of 1974</i>.</p>		<p>inbound tour operator, it is likely that the percentage of travel packages sold by the person in carrying on the business of an inbound tour operator in that 12 month period will be less than 20% of the total number of travel packages likely to be sold by the person in that period in carrying on business as mentioned in paragraphs (a) and (b). 13 Suitability for registration in terms of this <i>act</i>: (1) The commissioner may grant an application for registration, or renewal of registration, only if the commissioner is satisfied the applicant is a suitable person to hold registration. (2) In deciding whether an applicant is a suitable person to hold registration, the commissioner may have regard to any issue relevant to the applicant's ability to carry on the business of an inbound tour operator in a competent and ethical way. (3) Also, in deciding whether an applicant is a suitable person to hold registration, the commissioner may have regard to the fact that— (a) an order has been made against the applicant under part 9; or (b) the tribunal has made an order against the applicant for a contravention of section 35(1); or (c) the applicant has been convicted of an offence against this Act, the FTI Act if the offence is in relation to a matter under this Act, the <i>Fair Trading Act of 1989</i>, the repealed <i>Travel Agents Act 1988</i>, the <i>Competition and Consumer Act of 2010</i> (Commonwealth) or a corresponding law within the last 5 years. Note for subsection (3)(c)— An offence against the Fair Trading Act 1989 includes an offence against the Australian Consumer Law (Queensland) which forms part of that <i>Act</i>.</p>
<p><i>Tourism Services Bill 2003</i></p>	<p><i>The Tourism Services Act of 2003</i>.</p>	<p>2003</p>	<p>The main purpose of this <i>Act</i> is to provide for fair trading in the tourism services industry by--(a) establishing a registration system for inbound tour operators; and (b) providing for codes of conduct for inbound tour operators and tour guides including the setting of minimum standards for-- (i) carrying on the business of an inbound tour operator; or (ii) tour guides; and (c) prohibiting unconscionable conduct by inbound tour operators and tour guides; and (d) promoting sound business practices by inbound tour operators and tour guides.</p> <p>This <i>Act</i> commences on a day to be fixed by proclamation (<i>Act</i> binds all persons) (1) This <i>Act</i> binds all persons including the State and, as far as the legislative power of the Parliament permits, the Commonwealth</p>

			and the other States. (2) Subsection (1) does not make the State, the Commonwealth or another State liable to be prosecuted for an offence or proceeded against for a relevant contravention.
<i>Australia Tourism Act 74 of 2004</i>	An Act to establish Tourism Australia, and for related purposes. This Act originated from the <i>Tourism Australia Bill 2004</i> and may be cited as the <i>Tourism Australia Act 2004</i> .	2004	The seal of Tourism Australia (body corporate established under this <i>act</i>) is to be kept in such custody as the Board directs, and is not to be used except as authorized by the Board. Tourism Australia's objects are: (a) to influence people to travel to Australia, including for events; and (b) to influence people travelling to Australia to also travel throughout Australia; and (c) to influence Australians to travel throughout Australia, including for events; and (d) to help foster a sustainable tourism industry in Australia; and (e) to help increase the economic benefits to Australia from tourism. (1) Tourism Australia's functions are: (a) to increase the awareness of potential international travelers of Australia as a destination; and (b) to increase the awareness of potential domestic travelers of Australia as a place to travel; and (c) to increase the knowledge of potential travelers, both international and domestic, of Australia; and (d) to increase the desire of potential international travelers to travel to Australia; and (e) to increase the desire of potential travelers, both international and domestic, to travel throughout Australia; and (f) to conduct research into, and analysis of, international and domestic travel; and (g) to report on trends in international and domestic travel; and (h) to communicate effectively with the Australian tourism industry on issues that may affect it; and (i) To increase awareness throughout Australia of the contribution of tourism to Australia's economy, society and environment. (2) In performing its functions, Tourism Australia must have regard to the needs of the Australian tourism industry and government. (3) Tourism Australia may perform its functions: (a) in cooperation with the tourism industry; and (b) In cooperation with Australian governments and agencies, and foreign governments. (4) Tourism Australia may perform its functions to the extent only that they are not in excess of the functions that may be conferred on it by virtue of any of the legislative powers of the Parliament, and, in particular, may perform its functions: (a) for purposes related to external affairs; and (b) in the course of, or in relation to, trade and commerce with other countries, among the States, between Territories or between a Territory and a State; and (c) for purposes related to a Territory; and (d) by means of a communication using a postal, telegraphic, telephonic or other like service within the meaning of paragraph 51(v) of the Constitution; and (e) for purposes related to the collection, compilation, analysis, use and dissemination of statistics; and (f) for purposes related to a corporation to which paragraph 51(xx) of the Constitution applies; and (g) for purposes related to lighthouses, lightships, beacons and buoys; and (h) for

				<p>purposes related to matters incidental to the execution of any of the legislative powers of the Parliament or the executive power of the Commonwealth; and (i) for purposes related to a Commonwealth place within the meaning of the Commonwealth Places (Application of Laws) Act 1970; and (j) for purposes related to the executive power of the Commonwealth; and (k) for purposes related to money appropriated for the purposes of the Commonwealth; and (l) for purposes related to the granting of financial assistance to a State on such terms and conditions as the Parliament thinks fit; and (m) in so far as it is appropriate for those functions to be performed by Tourism Australia on behalf of the Government of the Commonwealth as the national Government of Australia; and (n) for purposes for which it is appropriate for the Parliament as the national Parliament of Australia to authorize Tourism Australia to perform functions; and (o) By way of providing a service, if the provision of the service utilizes Tourism Australia's spare capacity and does not impede Tourism Australia's capacity to perform its other functions.</p>
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Annexure D: APTG Montreal ‘Code of ethics’



Association professionnelle des guides touristiques,
Chapitre de Montréal

CODE OF ETHICS

INTRODUCTION TO CODE OF ETHICS

THE TOURIST GUIDE ACTS AS AN AMBASSADOR, REPRESENTING HIS OR HER REGION TO TOURISTS.

THE GUIDE’S DUTY IS TO PAINT A VIVID, ACCURATE PICTURE OF THE CITY OR REGION AND THE PEOPLE WHO LIVE THERE.

THE GUIDE SHOULD HAVE A SOLID GENERAL EDUCATION AND KEEP ABREAST OF CURRENT EVENTS.

THE TOURIST GUIDE SHOULD ALSO DEVELOP THE FOLLOWING CHARACTERISTICS: DIGNITY, TACT, JUDGMENT, OBJECTIVITY, OPENNESS, COURTESY, PUNCTUALITY AND SO ON.

THIS CODE OF ETHICS COVERS THESE DESIRABLE TRAITS OF CHARACTER.

CODE D'ETHIQUE
PAGE 2

CHAPTER I

DUTIES AND OBLIGATIONS TO THE PUBLIC

- | | |
|--|---|
| <p>1.01 THE TOURIST GUIDE SHOULD BE PUNCTUAL, ARRIVING AT LEAST FIFTEEN (15) MINUTES BEFORE THE SCHEDULED TIME OF DEPARTURE AND INTRODUCING HIM OR HERSELF TO THE PERSON IN CHARGE.</p> <p>1.02 THE TOURIST GUIDE SHOULD APPROACH THE GROUP OF VISITORS WITH COURTESY, AND DO HIS OR HER BEST TO GET TO KNOW THE VISITORS FROM THE START OF THE TOUR.</p> <p>1.03 IN CARRYING OUT HIS OR HER DUTIES, THE TOURIST GUIDE SHOULD:</p> <p>A) BE IMPECCABLY DRESSED AND GROOMED, AVOIDING ELABORATE CLOTHING;</p> <p>B) NOT CHEW GUM;</p> | <p>C) NOT SMOKE WHILE WORKING;</p> <p>D) AVOID UNDUE FAMILIARITY OR USING TOURISTS’ FIRST NAMES; THE TERMS SIR, MADAM AND MISS ARE MORE APPROPRIATE;</p> <p>E) USE CLEAR LANGUAGE, ADAPTED TO THE VISITORS;</p> <p>F) AVOID LOSING CONTROL;</p> <p>G) NEVER USE QUESTIONABLE LANGUAGE;</p> <p>H) NEVER GET INVOLVED IN A GROUP DISCUSSION;</p> <p>I) AVOID IMPOSING PERSONAL OR POLITICAL OPINIONS; CRITICISM HAS NO PLACE IN A GUIDE TOUR;</p> <p>J) ALWAYS SMILE, EVEN IN UNPLEASANT SITUATIONS.</p> <p>1.04 WHEN HE OR SHE MUST RENDER A PARTICULAR SERVICE TO AN INDIVIDUAL, THE TOURIST GUIDE SHOULD BE SURE THAT IN SO DOING, HE OR SHE IS NOT ACTING TO THE DETRIMENT OF THE REST OF THE GROUP.</p> <p>1.05 NO RELATIONSHIPS OTHER THAN THE PURELY PROFESSIONAL ARE APPROPRIATE IN THE CONTEXT OF A GUIDED TOUR.</p> |
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- 1.06 THE TOURIST GUIDE'S BEHAVIOUR MUST REFLECT OBJECTIVITY, MODERATION AND DIGNITY.
- 1.07 THE TOURIST GUIDE MUST SHOW REASONABLE OPENESS AND DILIGENCE.

CHAPTER 2

DUTIES AND OBLIGATIONS TO THE EMPLOYER

- 2.01 IT IS HARMFUL TO THE DIGNITY OF THE TOURIST GUIDE'S WORK TO OFFER PROFESSIONAL SERVICES TO A THRID PARTY WITH WHOM THE EMPLOYER HAS CONTRACTUAL OBLIGATIONS.
- 2.02 IF THE TOUR GUIDE IS UNABLE TO FULFILL HIS OR HER COMMITMENT FOR A SPECIFIC DATE, HE OR SHE SHOULD CHECK WITH THE EMPLOYER ABOUT FINDING A COLLEAGUE TO ACT AS A REPLACEMENT.
- 2.3 THE TOURIST GUIDE MUST AGREE TO FULFILL THE CONTRACT AS DRAW UP, AND ASSUME IT FULLY, FOLLOWING INSTRUCTIONS RECEIVED, BARRING UNFORESEEN CIRCUMSTANCES.

- 2.04 IN NO CASE IS THE TOURIST GUIDE TO CRITICOSE HIS OR HER OWN EMPLOYER IN THE PRESENCE OF CLIENTS.

CHAPTER 3

DUTIES AND OBLIGATIONS TO THE POSITION OF GUIDE

SECTION 1

- 3.01 THE TOURIST GUIDE SHOULD SUPPORT ANY MEASURE LOKIELY TO IMPROVE THE QUALITY OF PROFESSIONAL SERVICES IN THE MILIEU IN WHICH HE OR SHE WORKS.
- 3.02 THE TOURIST GUIDE SHOULD OBSERVE TO THE LETTER THE REGULATIONS FOR TOURIST GUIDES WHICH APPLY IN THE CITY OR REGION WHERE HE OR SHE WORKS:
- A) RENEW HIS OR HER PERMIT ANNUALLY WITHIN THE DEADLINE SET BY THE CITY;
 - B) CARRY HIS OR HER WORK PERMIT AT ALLTIMES;
 - C) PROMINENTLY DISPLAY THE GUIDE'S INSIGNIA.
- 3.03 BEFORE ACCEPTING A CONTRACT, THE TOURIST GUIDE SHOULD:
- A) CONSIDER THE LIMITS OF HIS OR HER SKILLS AND

APTITUDES AND THE MEANS AVAILABLE;

B) NOT UNDERTAKE TO GIVE A GUIDED TOUR FOR WHICH HE OR SHE IS INSUFFICIENTLY PREPARED WITHOUT OBTAINING THE NECESSARY ASSISTANCES;

C) BE FAMILIAR WITH ALTERNATIVE ROUTES IN CASE OF ROAD WORK OR BLOCKED-OFF STREETS;

D) LEARN AND STUDY THE ITINERARY BEFORE THE DEPARTURE OF THE TOUR, ESPECIALLY IN THE CASE OF SPECIAL ITINERARIES.

3.04 THE TOURIST GUIDE SHOULD KEEP UP-TO-DATE SO AS TO BETTER INFORM THE VISITORS.

3.05 THE TOURIST GUIDE SHOULD NOT TAKE ADVANTAGE OF HIS OR HER POSITION TO:

A) OBTAIN OR ATTEMPT TO OBTAIN ADVANTAGES FOR HIM OR HERSELF;

B) GIVE HIS OR HER WORK AN AIR OF COMMERCIALISM.

3.06 THE TOURIST GUIDE SHOULD NEVER SOLICIT A TIP FOR THE WORK HE OR SHE HAS DONE; BUT IF A TIP IS OFFERED, IT

SHOULD BE ACCEPTED DISCREETLY.

SECTION 2

RELATIONS WITH COLLEAGUES

3.07 THE TOURIST GUIDE'S PERMIT IS PERSONAL AND NON-TRANSFERABLE; THE INSIGNIA SHOULD NEVER UNDER ANY CIRCUMSTANCES BE USED BY ANYONE OTHER THAN THE PERMIT HOLDER.

3.08 IN CASE OF CONTRACTS WHERE THE EMPLOYER CALLS FOR SEVERAL GUIDES, THE GUIDE SHOULD DO HIS OR HER UTMOST TO FACILITATE THE WORK OF HIS OR HER COLLEAGUES.

3.09 IF THE TOURIST GUIDE TAKES ON A CONTRACT INVOLVING ANOTHER GUIDE, HE OR SHE SHOULD ACT WITH DISCRETION RESPECT THE DUTIES OF EACH GUIDE.

SECTION 3

CONTRIBUTING TO THE ADVANCEMENT OF THE POSITION OF GUIDE

3.10 THE TOURIST GUIDE SHOULD, WHEREVER POSSIBLE:

A) ASSIST IN THE DEVELOPMENT OF PROFESSIONAL WORK BY

SHARING HIS OR HER
KNOWLEDGE AND
EXPERIENCE;

B) MAKE
RECOMMENDATIONS,
THROUGH THE ASSOCIATION,
TO THE APPROPRIATE
PROFESSIONAL BODIES;

C) PROMOTE EDUCATIONAL
MEASURES.

3.11 THE TOURIST GUIDE SHOULD
TAKE RETRAINING COURSES
OR PARTICIPATE IN OTHER
ACTIVITIES RELATING TO HIS
OR HER WORK.

CHAPTER 4

FINAL PROVISIONS

4.01 THIS CODE OF ETHICS
CONSTITUTES, WITHOUT IN
ANY WAY LIMITING, THE RULES
OF THE ASSOCIATION
PROFESSIONNELLE DES
GUIDES TOURISTIQUES,
CHAPITRE DE
MONTRÉAL, GOVERNING
GUIDED TOURS.

4.02 ANY DEVIATION FROM THESE
RULES COULD BE CONSIDERED
AS A FAILURE BY THE TOURIST
GUIDE TO ADAPT HIS OR HER
BEHAVIOUR OR WORKING
HABITS TO THE
REQUIREMENTS OF RELATIONS
WITH VISITORS.

4.03 THESE REGULATIONS WERE
ADOPTED BY THE MEMBERS
AT A SPECIAL GENERAL
MEETING ON JANUARY 30,
1985, UNANIMOUSLY
APPROVED, DULY MOVED AND
SECONDED.

MODIFIED IN 1994 AND 2002.

Annexure E: Example of letter of informed consent.



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Faculty of Humanities

Historical and Heritage Studies

April 2013

Letter of Informed Consent

I, Lize-Marguerite van den Berg (student no 27083234) am currently enrolled for a Masters in Heritage and Cultural Tourism in the Department of Historical and Heritage Studies at the University of Pretoria. I am doing a thesis entitled: “Tourist Guiding Legislation in South Africa, Canada and Australia: a Comparative analysis”. For the purposes of this study I need to complete certain field research which will take the form of open-ended interviews with individuals in their professional capacity with first-hand knowledge of events relevant to my thesis. This will form part of my primary research as oral evidence and complies with the accepted standards within the discipline of history. I hereby wish to obtain permission to interview you.

Your input will be acknowledged according to the footnoting system prescribed by the Department of Historical and Heritage Studies. If specifically requested, participants may request to remain anonymous. Your interview will be recorded in writing / Dictaphone / tape recorder and will be stored in electronic format for a period of 15 years in compliance with the policy of the University Faculty of Humanities. This material may also be used for other research by the candidate. Your participation is entirely voluntary and you may choose to withdraw from the interview at any stage.

Yours sincerely

I, _____ (the undersigned) agree to participate in the Masters Research project of Mr _____ at the _____.

I have read his letter of introduction and agree that my information may be acknowledged according to the prescribed Departmental footnote reference system.

	I give permission for my name to be used in this research.
	I wish to remain anonymous in this research.

Yours sincerely

Signed _____ Date _____