

How to be a **Legal** Tour Guide

and

How not to be ripped off by charlatans pretending to offer National Qualifications

The purpose of this information is to clearly explain the legislative requirements of becoming a tourist guide as well as what to look out for to prevent the many instances of guides being offered qualifications that are not valid.

The Law in simple terms:

Tour Guiding is governed by the Tourism Act no.72 of 1993. This act states that any person or body who wishes to operate as a tourist guide for reward, whether monetary or otherwise, must:

1. Register as a Tourist Guide with the relevant Provincial Registrar¹
2. Be in possession of a certificate of competency issued by the South African Qualifications Authority²
3. Sign and adhere to the code of conduct and ethics provided by the Provincial registrar.

Who is a Tour Guide:

The definition of a Tour Guide is as follows:

“Means any person who for reward, whether monetary or otherwise, accompanies any person who travels within or visits any place within the republic and who furnishes such person with information or comments with regard to any matter”.

This is a very broad description, but we have it from the controlling authority Department of Environmental Affairs and Tourism (DEAT) that Adventure Guides are included in this definition.

How do I gain a certificate of competency?

The certificate can be in two formats: 1) National Certificate, or 2) Record of Achievement. Both are issued by the Tourism Hospitality Sport & Recreation Education Training Authority (THETA) via accredited training & assessment providers.

To gain a certificate of competence you will need to be assessed by an accredited and registered Assessor who is a subject matter expert in the field you wish to guide in. This assessment could include any or all of the following processes:

- Practical assessment
- Theoretical assessment
- The development of a portfolio of evidence
- Recognition of prior learning

¹ Provincial Registrars are usually attached to the Provincial Tourism Authority – contact your local authority.

² In Tour Guiding this will be issued by THETA

How do I know the Assessor is genuine before I hand over my money?

Assessors must be registered with THETA. You can check this by either phoning THETA on 011 803 6010 or by checking the Assessors list on the THETA website at:

<http://www.theta.org.za/etqa/default.asp?thepage=assessors/assessors.asp>

However at last look this was not working, so rather phone them.

The Assessor must also be able to show you an Assessors registration number which should be in the following format: "613/A/*****/2009" The stars are a unique number to the Assessor.

Ask them to show you their letter of scope as well – This will indicate the areas they are permitted to assess. Assessors cannot just assess anything they like, it is strictly controlled.

The Assessors scope letter will be on a THETA letterhead and will have content something like the following: *(Note this is just a sample of the content)*

ASSESSOR REGISTRATION

In terms of the ETQA regulations 11.27 (e), THETA ETQA hereby confirms your registration as an Assessor for the nationally registered unit standards listed below.

Name of Qualification/Unit Standard	Number of Qualification/Unit Standard	NQF Level
National Certificate: Tourism: Guiding	17174	2
National Certificate: Tourism: Guiding	20155	4
Adventure Site Guide – Mountaineering	TGD/ASGMnt/2/0031	2
Adventure Site Guide Mountaineering	TGD/ASGMnt/4/0038	4
Adventure Site Guide - Marine Guiding	TGD/ASGMar/4/0041	4
Adventure Site Guide - Marine Guiding	TGD/ASGMar/2/0042	2

Please be advised of the following conditions:

1. Valid registration as a THETA Assessor is from 16 August 2005 until the expiry date of the Qualifications and Unit standards.

The Assessor must also be linked with an Accredited Provider. This is the THETA approved organisation through which the Assessor is permitted to assess.

How do I know the Provider is genuine?

Again check by phoning THETA or checking the following link on the THETA website:

http://www.theta.org.za/etqa/default.asp?thepage=accredited_providers.asp

This link was also not working when this was updated, so rather phone THETA and ask for confirmation.

The Provider/Assessor should be able to give you an Accreditation number that looks similar to the following:

613/P/000005/2004.

The next thing you will want to check is if the Provider has the correct scope for the qualification you wish to gain. Do this by asking to see a copy of the Providers Scope letter which the provider should be able to show you.. It should look similar to the example below, again on a THETA letterhead:

Confirmation of Provider Accreditation					
In accordance with Regulation 16 of the SAQA Act 58 of 1995, please be advised that ' Providers Name ' has been awarded the status of Provisional Accreditation as a provider for the period 25/05/2004 to 25/05/2006.					
'Providers name' has met the requirements to offer the following					
SAQA/THETA ID	Title	Qualification Type	Level	Credits	Accreditation Type
17174	National certificate in Tourism Guiding	National certificate	2	134	Full (Training & Assessment)

Why is this scope so important?

The scope tells us what the Provider and Assessor may assess. You as the guide must hold an 'Elective' (*your speciality*) that is consistent with the type of guiding you do. For example a guide who has "Culture" as their elective, may not offer "Hiking" trips and visa versa. It is very important that you as the guide hold the appropriate elective for what it is you do. Do not let an assessor tell you it is okay to hold any elective. It's not. Your elective must match what you do. This is just a ploy to try to get your business, don't fall for it as it will cost you more in the future.

I cannot find a qualification for what I do?

Due to the slow process required to get standards registered, and the fact that many new activities are being developed in the adventure industry, there are quite a lot of guides for which no elective standards exist yet. (Surfing, Bunjee, Hunting, 4x4 etc) However this does not mean you are exempt from the law. All qualifications needed to register as a guide with DEAT have at least one common standard. These are called CORE standards. So even if you do not have an elective available to you yet, you must at least hold the CORE standard. Provincial Registrars, do recognise this problem and will not prosecute you if you have at least done what is available to you.

The "Cultural" and "Nature" based activities are already fully covered so there are no problems there. But at present there are only the following elective standards available for the Adventure industry:

SAQA Code

9284	Conduct a guided mountain walking experience in a limited geographical area
9283	Provide a guided single pitch abseiling experience of less than 60 meters
9282	Provide a guided single pitch abseiling experience of more than 60 meters and less 150 meters
9285	Provide a guided single pitch rock climbing experience
9286	Plan and provide a guided rock climbing experience
9287	Plan and provide a guided canyoneering experience
9288	Plan and conduct a guided mountain walking experience
9289	Plan and conduct a guided mountaineering experience
10189	Conduct a guided fly fishing experience
10191	Conduct an advanced fly fishing experience
11313	Conduct a guided birding experience in a limited geographical area
12122	Provide land based support for a paddling experience
12123	Conduct a placid water guided paddling experience
12124	Conduct a guided paddling experience
12126	Conduct a guided marine environmental experience

How can I confirm I am registered for a learning programme?

Before you start your actual assessment after you have registered with your assessor, you should have been given a Learner registration number, if not query this with your assessor. The number should be in the format: 613/L/*****/2009. Without this number you have not been registered so I would not hand over any money to your assessor till you have been.

How can I tell if my qualification or the qualification of someone I wish to employ is valid?

Again simply go to the THETA website at:

<http://www.theta.org.za/etqa/default.asp?thepage=cert/index.asp&isSubmit=true>

Type in the surname of the person you wish to check and you will see what qualifications that person has and their certificate number.

Be aware though that there is still some backlog in the issuing of certificates so some peoples certificates will not show yet.

How can I confirm the actual scope? Adventure Site Guide (Mountaineering) for example is quite vague.

Ask to see the persons THETA certificate. On the back will be a list of the unit standards they hold and this will show the scope. For example:

NLRD Number	Credit Value	NQF Level	Unit Standard Name
8478	20	2	CREATE A GUIDED EXPERIENCE FOR CUSTOMERS
9282	2	3	PROVIDE A GUIDED SINGLE PITCH ABSEILING EXPERIENCE OF MORE THAN 60 METRES AND LESS THAN 150 METRES
9283	20	3	PROVIDE A GUIDED SINGLE PITCH ABSEILING EXPERIENCE OF LESS THAN 60 METRES
9287	48	6	PROVIDE A GUIDED SINGLE PITCH ROCK CLIMBING EXPERIENCE
9288	48	6	PLAN AND PROVIDE A GUIDED CANYONEERING EXPERIENCE PLAN AND CONDUCT A GUIDED MOUNTAIN WALKING EXPERIENCE

This person can offer: *Abseiling Mountain Walking (Hiking), Canyoneering (Kloofing) and Single Pitch Rock Climbing*

Likewise if they simply hold a THETA certificate and on the front it says “National Certificate in Tourism Guiding” look on the back to see what their ‘elective’ is. This is the only guiding field they can do.

Okay so I have my certificate of competence, what now?

Well done. Now you need to register with your Provincial Registrar. To do this you must have the following:

- 1) Fill in an application to be registered as a Tourist Guide. Forms are available from your registrar or downloadable from www.aqn.org.za
- 2) Submit valid proof of THETA assessment (certificate). If you have not received your THETA certificate/letter of competence please provide the Registrar with a certificate from your training provider e.g. Alex Educational, Details, NGT, AQN etc. The Registrar will process these documents in the interim and issue ID cards which will be valid until THETA certificates are issued.
- 3) Submit a copy of your Record of Learning from your assessor indicating clearly the category (Scope) for which you have been assessed e.g. Site Guide – Mountaineering - Abseiling.
- 4) Pay R240 (registration renewable every 2 years).
- 5) Include 4 passport size, colour photos with your registration.
- 6) Include proof of South African citizenship i.e. certified copy of a South African ID or a valid residential/work permit.
- 7) Include a signed copy of the Tourist Guide Code of Conduct and Ethics. Downloadable from www.aqn.org.za
- 8) Be at least 21 years of age. (18 for adventure guides)
- 9) Submit a valid First Aid certificate, from an institution recognized by the Department of Labour (e.g. Red Cross, St John's, the Fire Brigade etc.).
- 10) Submit a letter of verification from a consulate should you speak a foreign language.

On the following page is a list of the relevant Provincial Registrars.

Final Checklist:

- Have you seen your assessors Theta registration letter and been given their assessors (613/A) registration number?
- Have you received your own Theta (613/L) registration number from your assessor as proof of your registration with Theta?
- Have you checked that your Assessor is linked to an accredited Provider and do you have the Providers (613/P) registration number?
- Have you checked your Assessors and Providers scope is correct for the elective you wish to guide?
- Are you sure your elective (scope) is correct?

PROVINCIAL REGISTRAR'S CONTACT LIST

PROVINCE	REGISTRAR	Cell Phone	TELEPHONE	FAX	POSTAL ADRS	EMAIL ADRS	AUTHORITY/DEPT
1. Limpopo	Moses Ngobeni Vukosi Lowane Sonya Breedt	082 800 2666	(015) 293 8510 (015) 293 8345 (015) 293 8341	(015) 291 1085	P/BAG X 9486 POLOKWANE 0700	NgobeniM@ledet.gov.za lowaneVG@ledet.gov.za BreedtS@ledet.gov.za	Department of Finance and Economic Development
2. Mpumalanga	Anthony Ngomane Justine Hoggan	082 489 0935	(013) 752 7001	(013)	P/BAG X 11215, NELSPRUIT, 1200	Anthony@mpta.co.za	Department of Economic Development and Planning
3. Gauteng	Mr. Mpho Moeti Florence Nunes Pat Naidoo registrations	082 803 1124	(011) 832 2780 (011) 639 1600	(011) 832 2781 (011) 832 2627	P. O. BOX 155 NEWTOWN 21003	mpho@gauteng.net leratom@gauteng.net Pat@gauteng.net	Gauteng Tourism Authority
4. Kwazulu Natal	Uveshnee Ragavan	083 985 3827	(031) 366 7543	(031) 305 6693	P. O. BOX 2516 DURBAN, 4000	uveshnee@zulu.org.za	Tourism Kwazulu Natal
5. North West	Bella Gumede George Mosomako (registrations) Karabo Mafatshe	072 144 7675	(018) 387 7883 (018) 387 7801 (014) 592 7148	(018) 384 7479	P/BAG X 90 MMABATHO, 2735	bgumede@nwpg.gov.za gmosomako@nwpg.gov.za kmafatshe@nwpg.gov.za	Department of Agriculture, Conservation, Environment and Tourism
6. Eastern Cape	Thembeke Mbanga (Registrar Acting)	079 520 8085	(043) 701 9645 (043) 701 9612 (043) 701 9600	(043) 701 9651	P. O. BOX 18373 QUIGNEY, 5211	thembekam@ectourism.co.za	Eastern Cape Tourism Cape
7. Western Cape	Noxolo Ntenetya Linah Maqashu – (registrations)	082 265 0385	(021) 483 2960	(021) 483 2957	P. O. BOX 979 CAPE TOWN, 8000	registrar@pgwc.gov.za lmagashu@pgwc.gov.za	Department of Economic Development and Tourism
8. Northern Cape	Andries Mokgele	084 689 7251	(053) 807 7372	(053) 831 3530	P/BAG X 6102 KIMBERLEY, 8300	amokgele@ncpg.gov.za	Department of Tourism, Environment and Conservation
9. Free State	Charles Tshabalala	082 567 6943	(051) 400 9594	(051) 400 9590	P/BAG X 20801 BLOEMFONTEIN, 9300	sibekot@dteea.fs.gov.za charlest@dteea.fs.gov.za	Department of Tourism, Environmental and Economic Affairs