

## Department of Tourism

## Notification

5/3(837)13/DT

The Government of Goa is hereby pleased to frame the following guidelines for ensuring smooth functioning of the “Q” system managed by the watersports associations on the beaches of Goa and request to publish the same in Official Gazette for general information of public.

*Objectives.*— The following guidelines are framed by the Department of Tourism for ensuring smooth functioning of the “Q” system to be managed by the watersports associations functioning on the beaches of Goa.

1. *Short title, commencement and applicability.*— (1) These guidelines may be called the guidelines for ensuring smooth functioning of the “Q” system managed by the watersports associations on the beaches of Goa.

(2) They shall come into force w.e.f. publication of Notification in the Official Gazette.

(3) They shall be applicable throughout the State of Goa.

2. *Other requirements.*— (1) All watersports operators functioning on a particular beach stretch/tourist place shall form an association at their respective beach/tourist place before starting the operation of the watersports activities. All such watersports associations shall be registered with the Registrar of Societies under the Societies Registration Act, 1860 or as per existing rules/law in force.

(2) All the watersports operators shall have a mandatory Memorandum of Association in order to contain the provisions of these guidelines. The Memorandum of Association shall also have provisions to incorporate any specific instructions/guidelines/rules being issued by the Director of Tourism/Captain of Ports and other competent authorities from time to time.

(3) All the watersports operators who have obtained necessary permissions from the Captain of Ports and the Department of Tourism shall compulsorily be registered with such association as a member. All such members shall elect among themselves President, Vice President, Secretary, Treasurer and other office bearers in a democratic manner by way of regular election. These elected office bearers including President, Vice President, Secretary and Treasurer shall constitute the Committee of the Association and shall assume the responsibility of smooth operation of the water sports activities at the respective tourist place/ /beach stretch. The contact details of every such elected Committee along with their names, proper addresses and mobile numbers/ /contact telephone numbers should be submitted to the Department of Tourism. All watersports operators having a watersports vessel with valid licenses from Captain of Ports, Fisheries and Tourism Department and other statutory documents are allowed to become member of the association on the payment of prescribed fees.

(4) For the purpose of conducting the watersports activities the committee shall establish a single Kiosk at a tourist place/beach stretch, demarcated for the watersports with due permission from the Director of Tourism. All watersports activities shall be strictly conducted by way of “Q” system operating from these Kiosks.

(5) All watersports operators shall compulsorily register with the Department of Tourism under the Goa Registration of Tourist Trade Act, 1982 and rules framed thereunder. No watersports operator shall be allowed to function without proper registration and without having himself registered under the “Q” system. Any operator found operating without proper registration and without registering himself in the “Q” system shall be liable for punishment as provided under section 22 of the Goa Registration of Tourist Trade Act, 1982 and the Goa Tourist Places Protection and Maintenance (Boat rides/parasailing and watersports activities Rules 2005). The Committee of the Watersport Association shall

not register any member/watersports operator on the “Q” system who is not duly registered under the Goa Registration of Tourist Trade Act, 1982 and who does not possess any valid N.O.C from the Captain of Ports. In case any such member is found operating from any Kiosk/Q system managed by any such watersports association the association shall be held responsible and penalized.

(6) All Water Sports operators shall compulsorily abide by the Goa Boat Rides and Water Sports activities Guidelines 2003, Goa Registration of Tourist Trade Act, 1982, the Goa Tourist Places Protection and Maintenance (Boat rides/parasailing and watersports activities Rules 2005) and the policy for regulation of watersports in Goa issued by the Department of Tourism.

(7) All watersports operators shall adhere to the instructions issued by Captain of Ports and safety norms prescribed by the National Institute of watersports from time to time. Any negligence observed on account of non-fulfillment of the instruction issued by Captain of Ports and non-fulfilling of safety norms prescribed by the National Institute of Watersports, resulting in any mishap or accidents while conducting of watersports activities shall be punishable in accordance with law which may attract penal and criminal proceeding also on the watersports operators.

(8) The Committee of the Watersports Association shall maintain due account of the daily transactions in the register. Accounts should clearly indicate the number of tickets issued on account of conducting the watersport activities indicating the name of the watersports operator in whose favor the ticket was issued, the daily income generated the daily number boat rides/trips conducted by specific watersports operator, the amount disbursed to boat operator/watersport operator, the amount pending to be paid to a particular watersport operator, credit amount due from Travel Agency/Tour Operators, hoteliers, etc. and should give a transparent view of the entire transactions of the day on account of conducting watersports activities.

(9) The Committee of the Watersport Association shall be responsible for the payment all statutory taxes and fees required to be paid to concerned authorities and shall account for the same in the register.

(10) The Committee of the Watersport Association should also provide with basic amenities like toilet facility/changing room in the vicinity of the kiosk for use by the members and the tourists as well as public enjoying the watersports facilities.

(11) The Committee of the Watersport Association shall keep record of various expenses incurred on account of containing the kiosk system, purchase of stationery, travelling and other misc. expenditure incurred in respect of the watersport activities conducted through the kiosk.

(12) The Committee of the Watersport Association shall display boldly in a prominent place on the kiosk the rates charged for a particular watersports activity as may be notified by the Director of Tourism for information of tourists and general public enjoining the water sports activities.

(13) The Committee of the Watersport Association shall submit a monthly report of the sales, income and expenditure statement, report on general conduct of watersport activities, any breach of law/any violation of terms and conditions of permissions/any breach of rules and regulations by a particular watersport operator to the Director of Tourism. The Committee of the Watersport Association shall also generate a complaint redressal system of its own and a feedback system for improvement of watersport activities based on the suggestions received from the Tourists and general public enjoining the watersport activities.

(14) The Committee of the Watersport Association may charge surcharge fee/fees on accounts of administration for the services provided from the watersports operators on account of its various operations/services including the maintenance of “Q” system.

(15) Minimum two members of the association should be present throughout the

day to supervise the operation of the booth in orderly manner.

(16) The Committee of the Watersport Association shall ensure that proper tickets indicating the name of the watersport operator and the vessel registration number must be issued to the customers/tourists and proper accounts should be maintained.

(17) If any customer, after purchasing tickets desires to cancel the same due to some fear or doubt, it should be allowed.

(18) There should be at least one female staff posted at the ticketing booth/center.

(19) The Association should provide embarkation/disembarkation arrangement for customers in the form of jetty or pontoon.

(20) The Committee of the Watersport Association shall ensure that the fuel for operating the vessels should be stored in separate store in a well-ventilated area and provided with appropriate firefighting facilities.

(21) The Committee of the Watersport Association shall ensure that the carrying capacity of the boat/vessel must be clearly displayed on the boat/vessel so that it can be seen by the passengers as well as regulatory agencies. Equipment used for aerial operation like beach/winch parasailing must be of international standards and must have certificate. Vulnerable items like rope, yoke, harness, etc. must be checked periodically by the Committee.

(22) The Committee of the Watersport Association shall ensure that prescribed buoyancy aids/life jackets must be available in sufficient numbers to cater to the tourist enjoying various watersport activities before the deployment of the boat/vessel for the ride. They must be available in different sizes so that they will fit customers of all sizes and age groups.

(23) The Committee of the Watersport Association shall ensure that a rescue boat must be available in full readiness during entire period of watersports operation. This boat

must be powered by OBM of minimum 10 H.P. A Lookout-cum-boat driver must be standing near the boat. The boat as well as the Lookout should not be involved with any other activity while on rescue duty.

(24) The Committee of the Watersport Association shall ensure that Water Sports booth/kiosk must have a windsock or a hand-held wind speed meter to determine the wind velocity. The parasailing operation must be stopped whenever the wind speed exceeds 15 miles per hour at the sea level.

(25) The Committee of the Watersport Association shall ensure that all operations of watersports should be done in demarcated/ /earmarked areas only. No operator should operate against the force of the nature i.e. wind, tide, current etc.

(26) The Committee of the Watersport Association shall ensure that all the Water sports operators pay adequate attention to signs put up by the Life Guards Stations and obey instructions given by the Life Guards stations from time to time.

(27) The Committee of the Watersport Association may also see to it that all the drivers/operators are currently trained and possessing a valid license to operate a designated vessel.

(28) The entire staff of the watersports booth/center who are directly involved with the operation must have Life Saving Techniques certificate from National Institute of Watersports (NIWS).

(29) The Committee of the Watersport Association shall also provide a first aid box, specifically developed for on-water rescue, should be carried on the rescue boat as well as passenger boats used for the rides. It is desirable that personnel indirectly connected with watersports booths/centers like booking clerks, receptionists, helpers, etc. also qualify in the First Aid and Cardiopulmonary resuscitation (CPR) and Life saving techniques course so that they can render help in an emergency.

(30) The Committee of the Watersports Association should ensure that the Kiosk Operating staff/helpers are issued proper identity cards and that while on duty/while coming in contact with the passengers must be properly dressed in uniform of the association and should behave in a descent and polite manner. Only the basic required staff should be allowed to remain near the booth. All other staff of the operation should be posted near their respective vessel/equipment. Loitering around the booth should not be allowed under any circumstances.

(31) The Committee of the Watersports Association should ensure that Touting by all means should not be permitted in and around the kiosk areas. It shall be ensured that fair business principles are followed.

(32) The Committee of the Watersports Association shall also ensure that the water Sports activities should be conducted only from Sunrise to Sunset during fair weather days. All safety instructions issued in this regards either by the Meteorology Department or the Captain of ports or any other competent authority should be strictly followed.

(33) The Committee of the Watersports Association should ensure that all the vessels and supplementary equipment must be anchored at the sea/river wherever authorized by COP. No vessel/equipment should be allowed to stand on the beach which may block the free movements of the beach goers and the general public.

(34) The Committee of the Watersports Association shall ensure that all the members and the watersports operators abide by the instructions given by the Coastal Police strictly. It shall be responsibility of the watersports operator to see that all the passengers he carries on his vessel comply with the instructions given by the coastal police, ex. Wearing of life jackets and compliance of other safety instructions, etc.

(35) The Committee of the Watersports Association should keep the area around the booth/kiosk clean, and open. No littering should be allowed around the kiosk.

(36) The Committee of the Watersports Association shall at all times ensure quick help to any tourist in distress. The committee also should extend all cooperation in getting first aid help/police help/ambulance help to the family of victims/casualties if any in cases of accidents while enjoying watersports rides/activities.

(37) The Committee of the Watersports Association shall update itself on the safety information, lifeguards and rescue arrangements and other important telephone numbers of important authorities like local police station, nearest hospitals, ambulances, jeeps, local panchayats, etc. so that the same could be immediately provided to the tourist in distress.

(38) All the records of the Association of the watersports shall be subject to inspection by the Director of Tourism or any other official appointed by him on his behalf. It shall be the responsibility of the Association to produce before the Authorized Officer/Director of Tourism any such records as may be required from time to time.

(39) All the above guidelines should be strictly followed by the watersports associations for smooth conduct of the water sports activities in the state failing which appropriate action shall be initiated against the defaulting watersports operators which may even result in cancellation of the permission issued, forfeiture of the equipment and vessel and filing of criminal and penal charges in certain cases.

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Panaji, 18th May, 2016.

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Printed and Published by the Director, Printing & Stationery,  
Government Printing Press,  
Mahatma Gandhi Road, Panaji-Goa 403 001.

**PRICE – Rs. 26.00**

PRINTED AT THE GOVERNMENT PRINTING PRESS, PANAJI-GOA—53/350—5/2016.