



ST. CHRISTOPHER AND NEVIS

CHAPTER 18.42

SAINT CHRISTOPHER TOURISM AUTHORITY (PRESCRIBED AREAS) ACT and Subsidiary Legislation

Revised Edition

showing the law as at 31 December 2017

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Page

3

16

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CHAPTER 18.42

**SAINT CHRISTOPHER TOURISM AUTHORITY
(PRESCRIBED AREAS) ACT**

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

1. Short title
2. Interpretation
3. Application of the Act

PART II

PRESCRIBED AREAS

4. Prescribed areas
5. Fixed penalty
6. Application for a permit
7. Issue of a permit
8. Refusal to grant a permit
9. Taxi and tour bus permit
10. Permit not transferable
11. Permitted taxi or tour bus
12. Taxi and tour bus fares
13. Renewal of a permit
14. Revocation or suspension of permit
15. Appeals
16. Register

PART III

TAXI AND TOUR BUS SERVICES

17. Individual taxi and tour bus operator
18. Taxi and tour bus association
19. Taxi and tour bus company

PART IV

MISCELLANEOUS

20. Establishment of Appeals Tribunal
21. Training and certification programmes
22. Dispatchers
23. Inspectors
24. Offences
25. Offence of Soliciting
26. Amendment of Schedule
27. Regulations

28. Transitional provision
- FIRST SCHEDULE: Prescribed Areas
- SECOND SCHEDULE: Fees
- THIRD SCHEDULE: The Appeals Tribunal
- FOURTH SCHEDULE: Saint Christopher Tourism Authority (Prescribed Areas) Regulations

CHAPTER 18.42

SAINT CHRISTOPHER TOURISM AUTHORITY (PRESCRIBED AREAS) ACT

AN ACT TO PROVIDE FOR THE DESIGNATION OF PRESCRIBED AREAS AND THE REGULATION OF TAXIS AND TOUR BUSES WHICH OPERATE IN THOSE PRESCRIBED AREAS; AND TO PROVIDE FOR RELATED OR INCIDENTAL MATTERS.

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the Saint Christopher Tourism Authority (Prescribed Areas) Act.

Interpretation.

2. In this Act, unless the context otherwise requires—

“Appeals Tribunal” means the Tribunal established pursuant to section 20;

“Authority” means the Saint Christopher Tourism Authority established pursuant to the Saint Christopher Tourism Authority Act, Cap. 20.36;

“business licence” means a business licence issued pursuant to the Licences on Businesses and Occupations Act, Cap. 18.20;

“dispatcher” means a person employed or authorised by the Authority pursuant to section 22;

“Minister” means the Minister responsible for tourism;

“operator” means a taxi and tour bus operator who has been granted a permit by the Authority pursuant to section 7;

“permit” means a taxi and tour bus permit issued by the Authority pursuant to section 7;

“permitted taxi and tour bus services” means the business of operating a taxi or a tour bus in any of the prescribed areas;

“permitted taxi or tour bus” means a taxi or a tour bus which meets the requirements of section 11;

“Police” means the Royal Saint Christopher and Nevis Police Force formed pursuant to the Police Act, Cap. 19.07

“prescribed area” means any area prescribed pursuant to section 4;

“standard conditions” means such standard conditions as may be prescribed by regulation.

“taxi” means a taxi as defined in the Vehicles and Road Traffic Act, Cap. 15.06;

“tour bus” means a tour bus as defined in the Vehicles and Road Traffic Act;

Application of the Act.

3. (1) This Act applies to the provisions of permitted taxi and tour bus services on the island of Saint Christopher.

(2) The provisions of this Act and any Regulations made under this Act shall be in addition to, and not in derogation from or in substitution of—

- (a) the Vehicles and Road Traffic Act, Cap. 15.06; and
- (b) the Public Service Vehicle Drivers (Special Provisions) Act, Cap. 15.04.

PART II

PRESCRIBED AREAS

Prescribed areas.

4. (1) The areas set out in the First Schedule are prescribed areas.

(2) Subject to this Act, a person shall not operate a taxi or a tour bus in a prescribed area without a permit issued by the Authority pursuant to section 7.

(3) Any person who contravenes subsection (2) is liable on summary conviction to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding three months or to both such fine and imprisonment.

(4) Notwithstanding subsection (3), a person who commits a second or subsequent offence under this section is liable on summary conviction to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding six months or to both such fine and imprisonment.

Fixed penalty.

5. (1) Where a person contravenes any provisions of this Act or regulations made under this Act, except section 25, a police officer may issue a notice in accordance with the provisions of section 83 of the Vehicles and Road Traffic Act offering the person an opportunity, through payment of a fixed penalty, in accordance with the provisions of sections 84, 85, 87, 88, 89, and 90 of the Vehicles and Road Traffic Act, to discharge any liability that would arise out of a conviction by a court of law.

(2) The provisions of sections 84, 85, 87, 88, 89, and 90 of the Vehicles and Road Traffic Act shall be applied with such modifications as may be necessary to bring them in conformity with the provisions of this Act.

(3) The fixed penalty for an offence referred to under this section shall be the amount prescribed under regulations made under this Act.

(Inserted by Act 39 of 2009)

Application for a permit.

6. (1) An application for a taxi and tour bus permit shall be made to the Authority in such form as may be prescribed by the Authority and shall be accompanied by the following—

- (a) the application fee as prescribed in the Second Schedule;

- (b) a medical certificate from a registered medical practitioner which shall include results of eye and ear examinations; and
 - (c) a Police Certificate.
- (2) An applicant for a taxi and tour bus permit shall—
- (a) be a citizen of Saint Christopher and Nevis or any state of the Caribbean Community and a resident of Saint Christopher and Nevis;
 - (b) be at least twenty-one years of age;
 - (c) be the holder of at least a Class “A” driver’s licence issued pursuant to the Vehicles and Road Traffic Act, Cap. 15.06 which licence must have been obtained at least two years prior to making the application; and
 - (d) have successfully completed the appropriate training and certification programme for taxi and tour bus operators administered by the Authority or any body designated by the Authority for that purpose pursuant to section 21, no more than six months prior to making the application.
- (3) A person who has completed the training and certification programme referred to in subsection (2) more than six months prior to making the application and who has not operated as an operator within that period shall be required to undergo the training and certification programme prior to making an application pursuant to this Act except where the Authority exempts him from doing so.
- (4) In addition to the requirements set out in subsections (2), an applicant for a permit who intends to operate his own taxi or tour bus shall attach to his application—
- (a) a business licence; and
 - (b) a copy of the registration licence and the current insurance policy of the taxi or tour bus that he intends to operate.
- (5) For the purposes of this section, “Caribbean Community” means the Caribbean Community established by the Revised Treaty of the Chaguaramas Establishing the Caribbean Community including the Caricom Single Market and Economy signed at Nassau Bahamas on July 5, 2001.

Issue of a permit.

7. (1) The Authority shall, if satisfied that a person making an application pursuant to section 6 complies with the conditions prescribed therein, grant and issue to the applicant, a permit with his picture attached and endorsed with the words “Certified Saint Christopher Tourism Authority Taxi and Tour Bus Operator”.
- (2) The permit shall be subject to such terms and conditions as may be specified.
- (3) The taxi and tour bus operator shall—
- (a) take such steps as may be necessary to protect the permit from loss or damage; and
 - (b) in the event of the permit being lost or damaged, make a report of such loss or damage to the Authority.

(4) In the event of loss or damage to the permit, the Authority shall replace the permit on payment by the operator of the fee prescribed in the Second Schedule.

(5) Where a permit is revoked or suspended, the holder of the permit shall immediately return the permit to the Authority.

Refusal to grant a permit.

8. (1) The Authority may refuse to grant an applicant a permit for any one or more of the following causes—

- (a) where fraud or deceit has been perpetrated in the application;
- (b) where the applicant has a prior conviction for an offence involving illegal substances or drugs, firearms, violence, fraud or dishonesty.

(2) Where the Authority refuses to grant a permit, it shall do so in writing, stating the reasons therefore and informing the applicant of the right to appeal pursuant to section 15.

Taxi and tour bus permit.

9. (1) A permit authorises the holder, subject to the conditions contained in the permit, to operate a taxi or a tour bus in the areas prescribed in the First Schedule.

(2) A permit shall, unless earlier suspended or revoked, be valid for a period of three years and shall state the date of issue and expiration.

(3) Where an operator does not commence operations within a period of three months following the date of issue of the permit, the Authority may revoke the permit except that if the operator requests in writing that he requires more time before commencing operations, the Authority may extend the period for a period of a duration of not more than three months.

(4) An operator shall comply with the code of conduct and standard conditions for the provision of permitted taxi and tour bus services as may be prescribed.

Permit not transferable.

10. A permit issued pursuant to this Act may not be transferred to any other person.

Permitted taxi or tour bus.

11. (1) A permitted taxi or tour bus is a taxi or a tour bus, which meets the standard conditions which the Minister may, by regulation, prescribe.

(2) A taxi or tour bus operator shall for the purposes of providing permitted taxi and tour bus services use only a permitted taxi or tour bus which complies with the provisions of—

- (a) this Act and regulations;
- (b) the Vehicles and Road Traffic Act, Cap. 15.06; and
- (c) the Public Service Vehicle Drivers (Special Provisions) Act, Cap. 15.04.

Taxi and tour bus fares.

12. (1) An operator shall charge fares at the rates prescribed pursuant to the Vehicles and Road Traffic Act.

(2) An operator who charges a fare that is higher than the prescribed rates is liable to have his permit suspended or revoked by the Authority pursuant to section 14.

(3) An operator shall display the prescribed fares in a visible location in his taxi or tour bus.

Renewal of a permit.

13. (1) The Authority may upon application by an operator, and on payment of the fee as prescribed in the Second Schedule, renew a permit.

(2) An application for a renewal of a permit shall be made in writing in the prescribed form not more than three months prior to the expiration of the permit.

(3) The Authority may, before renewing a permit, interview the applicant in order to establish his knowledge of the St. Kitts tourism destination and may, where it deems it necessary, require the applicant to attend such number of hospitality related courses as it may require.

(4) Where an application for renewal of a permit is under consideration by the Authority, the operator may continue to operate until the permit is renewed or refused for cause by the Authority.

(5) Where the Authority refuses to renew a permit, it shall do so in writing, stating the reasons therefore and informing the applicant of the right to appeal pursuant to section 15.

Revocation or suspension of permit.

14. (1) Where it appears to the Authority that an operator—

- (a) has contravened any provision of this Act, Regulations or of the permit; or
- (b) has been convicted of any offence involving fraud or dishonesty,

the Authority may, by notice in writing, require an operator to show cause within such time as may be specified in the notice, why the permit should not be revoked or suspended.

(2) Where—

- (a) the operator fails to comply with the requirement in subsection (1) to show cause within the time specified in the notice or if the cause shown is inadequate to the Authority; or
- (b) after due enquiry by the Authority in respect of any allegation made against the operator and after an opportunity to make representations, the Authority is satisfied that the nature of the facts established consequential on the enquiry is seriously detrimental to the tourist industry,

the Authority may, by notice in writing to the operator—

- (a) suspend the permit for such period as the Authority may consider necessary or desirable; or,

(b) revoke the permit from such date as the Authority may specify.

(3) The Authority shall in the notice to the operator pursuant to subsection (2) inform him of the right of appeal pursuant to section 15.

(4) All rights and privileges enjoyed under the permit that is revoked or suspended pursuant to subsection (2) shall cease to have effect upon such revocation or for the period of suspension, as the case may be, but such revocation or suspension shall not in any way affect the liability of any person in respect of any contravention of this Act or of the permit, that was revoked or suspended.

Appeals.

15. (1) Any person aggrieved by a decision of the Authority—

(a) granting, refusing to grant, renewing or refusing to renew a permit; or

(b) revoking or suspending a permit,

may within fifteen days of the date of service of the notice required under subsection (2) of section 14 or within fifteen days of the receipt of the notification under subsection (2) of section 8 appeal in writing to the Tribunal appointed by the Minister under section 20.

(2) Any person who is aggrieved by the decision of the Tribunal in respect of an appeal pursuant to subsection (1), may appeal to a Judge in Chambers and the Judge may make such order in relation to the appeal as he thinks fit.

(3) The Judge's decision in Chambers on an appeal pursuant to subsection (3) shall be final.

Register.

16. (1) The Authority shall keep a register of all the persons to whom it has issued a permit pursuant to this Act.

(2) The register shall contain the name and address of each operator and full particulars of each taxi and tour bus permit.

(3) The register may contain such other records and particulars as the Minister may determine.

PART III

TAXI AND TOUR BUS SERVICES

Individual taxi and tour bus operator.

17. (1) An individual operator is an operator who is not a member of a taxi and tour bus association or an employee of a taxi and tour bus company.

(2) An individual operator shall furnish the Authority with his current residential address and shall inform the Authority of any changes to the residential address.

(3) An individual operator shall present to the Authority, not later than February 28 of each year, a copy of his current business licence.

(4) An individual operator who fails to comply with subsections (2) and (3) is liable to have his permit revoked or suspended.

Taxi and tour bus association.

18. (1) For the purposes of providing taxi and tour bus services in the prescribed areas, a group of not less than fourteen operators may form a taxi and tour bus association.

(2) A taxi and tour bus association shall be a registered association and shall have established by-laws.

(3) Each member of a taxi and tour bus association shall obtain and maintain a business licence.

(4) A taxi and tour bus association shall submit annually a list of its members and their addresses to the Authority and shall inform the Authority of any changes to the membership of the Association.

(5) A taxi and tour bus association may provide recommendations and other information to the Authority in order to ensure the growth and development of the taxi and tour bus sector.

(6) A taxi and tour bus association shall ensure that its members—

- (a) provide quality taxi and tour bus services at all times;
- (b) are informed and sensitive to the customer needs of their passengers;
and
- (c) are able to promote the tourism destination of St. Kitts.

Taxi and tour bus company.

19. (1) A taxi and tour bus services company shall be a company registered pursuant to the Companies Act, Cap. 21.03 which provides taxi and tour bus services in the prescribed areas and has one or more vehicles that meets the standards of this Act and Regulations.

(2) A taxi and tour bus services company shall employ or utilise the services of operators and shall submit the names and addresses of the operators employed by it to the Authority.

PART IV

MISCELLANEOUS

Establishment of Appeals Tribunal.

20. (1) For the purposes of determining appeals under this Act there is established a Tribunal to be known as the Appeals Tribunal.

(2) The Provisions of the Third Schedule to this Act shall have effect as to the constitution of the Tribunal and otherwise provided.

(Inserted by Act 39 of 2009)

Training and certification programmes.

- 21.** (1) The Authority or any person or institution designated by it shall conduct—
- (a) a certification training programme for prospective operators; and
 - (b) training for operators.
- (2) The Authority or the person or institution designated by it may at any other time that it may consider appropriate conduct training and certification programmes for the operators.
- (3) An applicant for a training and certification programme must meet the requirements for the issuance of a permit pursuant to this Act.

Dispatchers.

- 22.** (1) For the purposes of regulating taxis and tour buses at a port or a prescribed area there shall be employed or designated by the Authority such number of dispatchers as may be necessary for the purpose.
- (2) A dispatcher shall be responsible for directing, controlling and managing the loading, unloading and departure of taxis and tour buses in an efficient, equitable, safe, comfortable and orderly manner.
- (3) The Minister may by regulation prescribe the procedure for the dispatch of taxis and tour buses and for the conduct of a dispatcher.

Inspectors.

- 23.** (1) A member of the Police Force and any dispatcher shall be an inspector for the purposes of this Act.
- (2) The Authority may, in addition to the Police and dispatchers, designate or appoint such persons as the Authority considers suitable to be inspectors for the purposes of this Act.
- (3) Each inspector designated or appointed pursuant to subsection (2) shall be furnished with an appropriate certificate of appointment.
- (4) An inspector may—
- (a) at any reasonable time inspect a taxi or tour bus operated by an operator;
 - (b) make such other examination or enquiry as he considers necessary in relation to a taxi or tour bus,

in order to ascertain compliance with this Act and Regulations.

Offences.

- 24.** (1) Any person who with intent to deceive—
- (a) forges or uses or lends or allows to be used by any person, any permit issued under this Act;
 - (b) makes or has in his possession any document so closely resembling such permit as to be calculated to deceive,

commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(2) Any person who—

- (a) obstructs or hinders any member of the Police Force, any dispatcher or inspector acting in the performance of his functions under this Act;
- (b) knowingly gives false or misleading information to any inspector;
- (c) produces or furnishes or causes or knowingly allows to be produced or furnished any document or information which he knows to be false in a material particular,

commits an offence and is liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(3) Any person who contravenes any provision of this Act in respect of which no provision for a penalty is made is liable, on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three months.

(Inserted by Act 39 of 2009)

Offence of soliciting.

*25. (1) Any person who, while at any of the prescribed areas, solicits fares for the purpose of getting a job from a tourist contrary to the code of conduct of taxi and tour operators prescribed under the regulations made pursuant to the provisions of this Act, commits an offence and is liable, on summary conviction, to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding three months.

(2) For the purposes of this section, “soliciting” means—

- (a) asking a tourist repeatedly or earnestly for or seeking or inviting the tourist to offer him or her a job—
 - (i) on fares which are different from the officially established fares so as to undercut another taxi operator; or
 - (ii) on fares which are higher than the officially established fares; or
- (b) pursuing a tourist for a job with placards or other signs.

(Inserted by Act 39 of 2009)

Amendment of Schedule.

26. The Minister may, by Order amend any of the Schedules to this Act.

Regulations.

27. (1) The Minister may make regulations for carrying into effect the provisions of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make Regulations—

* Section 24A inserted by Act 39 of 2009 and renumbered as section 25 and subsequent sections renumbered accordingly.

- (a) prescribing the standard conditions for—
 - (i) the conduct and appearance of operators;
 - (ii) the conduct and appearance of a dispatcher;
 - (iii) the process of dispatching taxis and tour buses;
 - (iv) taxis and tour buses;
- (b) prescribing such forms as are necessary to be prescribed.

Transitional provision.

28. Any person who immediately before the date of commencement of this Act operated a taxi or a tour bus in Saint Christopher and was the holder of a licence issued pursuant to the Public Service Vehicle Drivers (Special Provisions) Act shall—

- (a) be deemed to be duly licensed under this Act for a period of six months, or such other period as the Minister may approve; and
- (b) require a permit issued pursuant to this Act in order to operate a taxi or a tour bus in a prescribed area after the expiry of that period.

FIRST SCHEDULE

(Section 4)

PRESCRIBED AREAS

The following areas are hereby designated as prescribed areas—

- (a) the Robert Llewellyn Bradshaw International Airport
- (b) the Deep Water Port
- (c) Port Zante
- (d) all areas of downtown Basseterre outside of the commuter omnibus route
- (e) the Brimstone Hill Fortress National Park
- (f) the Caribelle Batik factory or Romney Manor Parking Lot
- (g) the pickup and drop off area to the Wingfield Rainforest or any other Rainforest in St. Kitts
- (h) any beach area located in Frigate Bay and on the South East Peninsula
- (i) any pick up and drop off area located at any restaurant or any tourist accommodation, that is, any apartment, hotel, guest house or any other premises where accommodation for tourists is for reward licensed pursuant to the Saint Christopher Tourism Authority Act, Cap. 20.36
- (j) the lookout at Timothy Hill
- (k) the Black Rocks
- (l) train depots for the St. Kitts Scenic Railway

- (m) any other areas that the Minister may by Order designate.
(Corrected by S.R.O. 24/2016)

SECOND SCHEDULE

(Sections 6, 13 and 21)

FEES

1.	Registration for training and certification program	\$200.00
2.	Application for a taxi and tour bus operator's permit	\$300.00
3.	Application for renewal of a taxi and tour bus operator's permit	\$200.00
4.	Application for lost or damaged taxi and tour bus permit	\$150.00

THIRD SCHEDULE

(Section 20)

THE APPEALS TRIBUNAL

Constitution of Tribunal.

1. The Tribunal shall subject to paragraph 2, consist of three members appointed by the Minister after consultation with stakeholders in the tourism industry and taxi and tour bus services sector.
2. For the hearing of an appeal under this Act, the Tribunal may consist of one member sitting alone if the parties to the appeal agree.

Term of Office.

3. The members of the Tribunal shall, subject to the provisions of this Schedule, hold office for such period not exceeding two years as the Minister may determine and shall be eligible for re-appointment.
4. The Minister may appoint any person to act in the place of the chairman or any other member of the Tribunal in the case of the absence or inability to act of the chairman or other member.

Resignation.

5. (1) Any member of the Tribunal other than the chairman may, at any time resign his office by instrument in writing addressed to the Minister and transmitted through the chairman and from the date of the receipt by the Minister of such instrument that member shall cease to be member of the Tribunal.

(2) The Chairman may at any time resign his or her office by instrument in writing addressed to the Minister and such resignation shall take effect from the date of receipt by the Minister of that instrument.

(3) A member of the Committee other than the Chairperson may, at any time, resign his or her office by letter addressed to the Chairperson of the Committee, copied to the Minister.

Removal from Office.

6. The Minister may at any time by instrument and for cause, revoke the appointment of any member of the Tribunal.

Filling of Vacancies.

7. Where a vacancy occurs in the membership of the Tribunal the vacancy shall be filled by the appointment of another member.

Publication of membership.

8. The names of all members of the Tribunal as first constituted and every change in the membership thereof shall be published in the *Gazette*.

Remuneration of members.

9. There shall be paid to the chairman and other members of the Tribunal, in respect of each appeal, such remuneration, whether by way of honorarium, salary or fees and other allowances as the Minister may determine.

Voting.

10. Subject to paragraph 2, the decision of the Tribunal shall be by a majority of votes of the members and in addition to an original vote, the chairman shall have a casting vote in any case in which the voting is equal.

Power to regulate proceedings.

11. Subject to the provisions of this Act, the Tribunal shall have the power to regulate its own proceedings.

FOURTH SCHEDULE

(Section 27)

**SAINT CHRISTOPHER TOURISM AUTHORITY (PRESCRIBED
AREAS) REGULATIONS****PART I****PRELIMINARY MATTERS****Citation.**

1. These Regulations may be cited as the Saint Christopher Tourism Authority (Prescribed Areas) Regulations.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

“Act” means the Saint Christopher Tourism Authority (Prescribed Areas) Act, Cap. 18.42;

“Licensing Authority” means the Licensing Authority prescribed pursuant to the Vehicles and Road Traffic Act, Cap. 15.06.

Part II

STANDARD CONDITIONS FOR TAXI AND TOUR BUS OPERATORS

Code of conduct for taxi and tour bus operators.

3. A taxi or tour bus operator shall conduct himself or herself in accordance with the code of conduct set out in Schedule 1.

PART III

STANDARD CONDITIONS FOR TAXIS AND TOUR BUSES

Standard conditions for taxis and tour buses.

4. (1) A taxi or tour bus operator shall maintain his or her taxi or tour bus in accordance with the standards set out in Schedule 2.

(2) A taxi or tour bus operator shall carry in his taxi or tour bus the number of passengers specified in Schedule 2.

Regulatory requirements.

5. A taxi or tour bus operator shall ensure that his or her taxi or tour bus is—
- (a) licensed in accordance with the Vehicles and Road Traffic Act, Cap. 15.06;
 - (b) carries such registration plates as are approved by the Licensing Authority;
 - (c) examined and certified for road worthiness once every six months by an approved garage which has been gazetted for that purpose; and
 - (d) fully insured at all times according to the laws of Saint Christopher and Nevis.

Inspection.

6. (1) The Licensing Authority may cause an inspection to be made of any taxi or tour bus at such times as it thinks fit.

(2) In addition to the inspection made pursuant to sub-regulation (1), the Authority, in conjunction with a vehicle inspector from the Ministry of Transport or the Royal Saint Christopher and Nevis Police Force, may conduct an on the spot check on any taxi or tour bus in order to ascertain compliance with the Act and these Regulations.

PART IV

DISPATCH OF TAXIS AND TOUR BUSES

Conduct of taxi and tour bus dispatcher.

7. (1) A dispatcher employed or designated by the Authority pursuant to the provisions of section 22 of the Act shall—

- (a) wear the uniform prescribed by the Authority;
- (b) not abuse, or appear to abuse, his or her position by accepting gifts, money, goods or services, from any taxi or tour bus operator;
- (c) be fair and consistent in executing his or her duties;
- (d) display vigilance and good team work with other dispatchers.

(2) The dispatcher shall report any problem or dispute arising during the dispatching process to the Authority to be dealt with in accordance with the Act.

Dispatching process for ships at Port Zante during the cruise ship season.

8. (1) The dispatcher shall dispatch the taxis and tour buses in accordance with the following procedure—

- (a) each taxi and tour bus operator shall be issued a dispatching number which number shall be used for dispatching purposes and the numbering shall begin with 001;
- (b) the dispatcher will dispatch jobs in numerical order;
- (c) where any taxi or tour bus operator misses his rotation for any reason, the dispatcher will not allow him or her to join the line until his or her rotation comes around again.

(2) An express or fast lane may be created for taxis and tour buses which are only available for drops to a nearby beach or other short drops with four or less persons.

(3) A dispatcher shall keep a record of the vehicle numbers of taxis and tour buses dispatched as well as the number of taxis and tour buses dispatched on a daily basis.

Dispatching process for ships at prescribed areas other than Port Zante.

9. (1) The dispatching process at any prescribed areas other than Port Zante shall be as follows—

- (a) the taxis and tour buses shall queue up;
- (b) the dispatcher shall dispatch the taxis and tour buses in the order of their place in the queue.

(2) Where there is no dispatcher at that prescribed area, the taxi or tour bus shall pick up passengers in the order of their queuing.

Requests for a particular taxi or tour bus operator at any prescribed area.

10. Where a passenger has made a specific request to be carried by a particular taxi or tour bus operator, the dispatcher may at his or her discretion allow that taxi or

tour bus operator to carry that particular passenger, and that taxi or tour bus operator shall then miss his or her next rotation.

Taxi and tour bus associations.

11. Taxis and tour buses which belong to a taxi and tour bus association shall as far as possible operate in rotation with regards to regulations 8, 9 and 10.

PART V

MISCELLANEOUS PROVISIONS

Suspension or revocation of permit.

12. Any taxi or tour bus operator who breaches any provision of these Regulations is liable to have his or her permit suspended or revoked pursuant to the Act.

SCHEDULE 1

(Reg. 3)

CODE OF CONDUCT FOR TAXI AND TOUR BUS OPERATORS

1. A taxi and tour bus operator shall—
 - (1) wear the uniform prescribed by his or her association or adhere to the dress code established by the Authority ensuring that the items of clothing do not bear any offensive or inappropriate writing, symbol or wording, including political or other advertising thereon;
 - (2) wear closed shoes, boots, sneakers or dress sandals except for certifiable medical reasons which should be submitted to the executive of his or her taxi and tour bus association and the Authority;
 - (3) practise acceptable personal hygiene and other proper grooming, for example, persons wearing dreadlocks should have them appropriately covered;
 - (4) be free of any disabling drug, such as alcohol, narcotics and any form of intoxicating substance or such substances as are prohibited by the laws of Saint Christopher and Nevis, while on duty;
 - (5) wear in a prominent position, above the waist but not on the arms, the permit issued by the Authority which shall-bear a photographic likeness of the driver;
 - (6) refrain from smoking in the vehicle;
 - (7) immediately hand over any property of a passenger accidentally left in the taxi, to the dispatcher, the police, the hotel front desk or at the Front Desk of the Authority;
 - (8) not use a horn or other noisy instrument for the purpose of soliciting passengers;

- (9) not harass, or use any abusive language or insulting gestures to any passenger, dispatcher, ground handler, hotel or cruise representative or fellow taxi operator;
- (10) not solicit fares other than those established through the dispatching system;
- (11) not attempt to sell illegal products or services to passengers;
- (12) not discharge or permit the discharge of any litter from the taxi or tour bus whether moving or stationary;
- (13) not idle his or her vehicle excessively or cause the vehicle engine to make any unnecessary noise while waiting to pick up passengers;
- (14) not carry friends or family members in the vehicle when on hire by other persons;
- (15) respect and adhere to all the traffic laws of the Federation;
- (16) collect customers promptly at the time agreed to or stated on the transfer vouchers or given by the ground handler or hotel or customer, allowing plenty of time to load luggage;
- (17) ensure that the luggage is properly secured and is carried in a safe and responsible manner to the satisfaction of the customers or ground-handling representatives;
- (18) assist in moving the luggage from the drop-off area to where the taxi or tour bus is loading;
- (19) check the vehicle carefully, for personal items left behind, after passengers disembark;
- (20) display approved fares in a prominent area in the vehicle;
- (21) deliver to the person paying for the hire, whenever requested, a receipt in legible printing or writing containing the name of the driver, the taxi licence number, the amount paid and the date of the payment;
- (22) not demand more than the maximum prescribed fare;
- (23) not carry more passengers in the vehicle than the number of persons for which it is licensed;
- (24) adhere to any minimum standards established by the Minister or the Authority from time to time;
- (25) be prepared to provide proof that they are physically and mentally capable of operating as a public transport operator;
- (26) not solicit or advertise business for any establishment in a manner which is offensive or obstructs the vision of the driver or passengers;
- (27) not refuse to carry any passenger whilst he or she is in operation, has the appropriate vacancy and the passenger has the necessary fare, however, it shall be left to the discretion of the taxi and tour bus operator to carry any child under the age of twelve (12) at half price;
- (28) have the right to refuse to carry—
 - (a) any animal;

- (b) any item of baggage which cannot be conveniently or safely carried;
 - (c) any passenger who is drunk, unruly or appears to be under the influence of any controlled drug or who refuses to pay the proper fare;
- (29) not create, cause, incite or threaten disruption, physical obstruction or any other form of disorder or violence at any Prescribed Area;
- (30) not publicly, or openly to or within hearing range of passengers, malign or abuse any dispatcher, taxi or tour operator, hotel or tour official, government official or dispatcher while on duty.

SCHEDULE 2

(Reg. 4)

STANDARD CONDITIONS FOR TAXIS AND TOUR BUSES

1. A taxi or tour bus shall be maintained in accordance with the following standard conditions—

- (a) the vehicle shall be marked “TAXI” or “TOUR BUS” and carry a number plate marked “T” or “GT”;
- (b) the vehicle shall have an air conditioning unit in good working order;
- (c) the vehicle shall have a receptacle available for proper garbage disposal as needed;
- (d) the vehicle shall have a First Aid Kit;
- (e) the vehicle shall be equipped with at least one spare inflated Tire fixed to the rim, capable of being fitted on the vehicle in question, and a lifting jack;
- (f) the tinted vehicle may be tinted only as stipulated in the Vehicles and Road Traffic Act, Cap. 15.06;
- (g) the vehicle shall have easy entrance and exit for passengers;
- (h) no inappropriate or offensive markings are to be placed on the exterior or interior of the vehicle;
- (i) while on duty the vehicle shall not be used to display any political advertisement that is any advertisement used to present information suggesting a party or candidate’s suitability for elected public office or presenting an issue to be voted upon in a local or federal election;
- (j) the vehicle shall be professionally and uniformly painted according to the colour scheme indicated on its registration documents;
- (k) the vehicle shall be kept clean at all times.

2. In addition to the standards set out in paragraph 1 above, a safari jeep or a truck which is used as a taxi or tour bus shall be maintained in accordance with the following standard conditions—

- (a) the seats in the rear section shall be fitted with some form of security at the end of each row;
- (b) the passenger area must be reinforced with padded steel rolls to the side and top of the open vehicle;
- (c) the vehicle may have a canvas top which may be retractable;
- (d) the vehicle shall have no markings, except for those relating to the name and company or owner of such vehicles and any safari themes established by the operator are to be placed on the exterior or interior of the vehicle.

3. Where a taxi or tour bus becomes inoperative for any such reasons as a breakdown or vehicular accident any replacement vehicle used by the operator must be approved by the Authority as meeting the standards prescribed in these Regulations.

4. For a taxi or a tour bus engaged in visitor transfer, the maximum number of passengers allowed per vehicle with luggage should be eighty percent or less of his or her seating capacity—

- (a) 30 passenger seater buses shall not carry more than 24 passengers;
- (b) 25 passenger seater buses shall not carry more than 20 passengers;
- (c) 15 passenger seater buses shall not carry more than 12 passengers;
- (d) 14 passenger seater buses shall not carry more than 11 passengers;
- (e) 12 passenger seater buses shall not carry more than 10 passengers;
- (f) 9 passenger seater buses shall not carry more than 7 passengers;
- (g) 7 passenger seater buses shall not carry more than 5 passengers.
(Inserted by S.R.O. 23/2009 as corrected by S.R.O. 24/2016)