



Kenya Tourism Federation

NEWSLETTER

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EXPORING CULTURE FOR TOURISM

There are currently efforts to tap deeper into culture as a tourism product, in line with the country's efforts to diversify its tourism offer. An emerging trend with today's travelers is the desire to sample the local experience wherever they travel; this makes culture all the more appealing as a tourism product.

Traditional songs, dances, attire, artifacts as well as visits to traditional homes are some of the pieces of Kenyan culture visitors to the country are likely to experience. These are excellent and make it possible for community members to benefit directly in terms of tourism revenue.

We should also look into long term ways of developing culture as a tourism product of the country; and in so doing portray to ourselves and to the world our cultural heritage.

TRADITIONAL ARCHITECTURE AS A PIECE OF CULTURE:

Architecture is a great tool of cultural preservation, being highly visible and durable- could span hundreds of years and generations. There is a great opportunity for investors to infuse traditional architecture into modern buildings and achieve an aesthetic appeal; this would also give our city a touch of cultural heritage and showcase this to the world and to succeeding generations.

Some players in the tourism industry have successfully incorporated traditional architectural designs in the buildings they put up, giving their businesses the added cultural appeal. Traditional inspired décor has been used extensively in the tourism industry; but it will be even more profitable to go a step further and build traditional architectural designs.

The Schools drama festival is an annual showcase of pieces of cultural heritage from across the country. Organized by the Ministry of Education, this festival may benefit further from entering into a partnership with other public institutions mandated to preserve and present the country's culture and heritage - such as the National Museums of Kenya and Bomas of Kenya.

There are currently too few urban buildings whose designs reflect traditional architecture. It stands out that the Kenyatta International Conference Center, one of the most iconic buildings in Nairobi, is one of the few buildings that have a touch of traditional architecture -the rounded exterior and the cone shaped roof. This is a model example that modern buildings can successfully incorporate aspects of traditional architecture.

ALCOHOLIC DRINKS CONTROL ACT 2010 COMES INTO EFFECT

The Alcoholic Drinks Control Act 2010 came into effect on 22nd November, after being gazetted by the Minister for Internal Security. The Act was signed into law by the president on August 10 this year.

As the new law comes into effect, it has caused anxiety among investors in tourism that the law will adversely affect business, because some of its provisions will undermine their operations. This situation is a result of the exclusion of investors from the process of drafting of the law.

However, there are provisions in the law that the tourism and enter-

tainment industry have concerns with, listed below:

Section 12

The District Committee shall not grant a new license for sale of alcoholic drink to be consumed on the premises unless the District Committee is satisfied

(c) that the premises in respect of which the application is made are located at least three hundred meters from any nursery, primary, secondary or other learning institutions for persons under the age of eighteen years.

Industry Concerns:

- We have existing responsible tourism and entertainment establishments that are within 300 meters of educational institutions and have had no effect on the social and moral values and quality of education received in the said institutions.
- Industry is concerned that there lies very little difference between bar that is situated 290 meters away and one that is situated 320 meters from an educational institution.
- This begs the question of who will be moved in instances that an educational institution and an establishment selling alcohol are within 300 meters of each other and have co-existed for a time before the law was in place.

Section 23 - Debt from sale of alcoholic drinks

No suit shall be maintainable to recover any debt alleged to be due in respect of the sale of any alcoholic drink which was delivered for consumption on the premises where it was sold unless it was sold for consumption with a meal supplied at the time of sale or unless the person to whom it was sold or supplied was at the time of the sale a lodger on such premises.

Industry concern:

- Members only clubs may no longer allow members to sign for bill because this section clearly indicates that they cannot take legal action against members who refuse to pay their bills unless the meals were served with drinks.

Section 24 - Access by persons under age of 18

(1) states that No person holding a license to manufacture, store or consume alcoholic drinks under this Act shall allow a person under the age of eighteen years to enter or gain access to the area in which the alcoholic drink is manufactured, stored or consumed.

Industry Concerns:

- This section of the law seeks to fill in the responsible parenting gap that exists in some families but in the process discriminates / punishes business people and consumers of alcoholic drinks whether they are parents or not.
- Kenya is a leisure and family holiday destination of choice, entertainment in Kenya is also one of the fastest growing sectors and employs hundreds of thousands of youth. Restaurants serving families will not be allowed to sell or store alcohol in their restaurants whether the clients consuming the alcohol have children with them or not.
- Mini bars in rooms will need to be removed or only stocked with alcohol once a room has been established not to be having children.
- Serving of alcoholic drinks in flight or on cruises will not be allowed as long as there are persons under 18 on the flight or

- At outside catering events, champagne breakfasts, bush dinners, picnics and at the beach, access to children is difficult to control

Section 38

(1) No person shall keep for sale, offer for sale or sell-

(a) any alcoholic drink which has been in any way adulterated, or diluted by any person;

(b) any non alcoholic drink which has been in any way adulterated with alcohol, or which contains any of the substances prohibited by the Minister under section 68.

(2) Any person who contravenes the provisions of this section commits an offence and shall be liable to a fine not exceeding ten million Kenya shillings or to imprisonment for a term not exceeding ten years, or to both.

Industry Concerns:

- Cocktails which are popular drinks are made by mixing both alcoholic and non alcoholic drinks
- There are meals and deserts that are made with alcohol as an ingredient.
- The wording of the law needs to be changed to reflect the intentions of the drafters of the law which was to protect the citizenry from illicit alcohol and that which has been mixed with harmful substances

Section 50

(1) The Minister shall, upon recommendation by the respective District Committee, appoint for each district, any person or class of persons to be authorized officers for purposes of this Act.

(2) The Minister shall issue a certificate of appointment to every person appointed under this section.

(3) Notwithstanding the provisions of this section, the following officers shall be deemed to be authorized officers for the purposes of this Act-

(a) Public Health officers appointed under the Public Health Act; and

(b) Any other person upon whom any written law vests functions of the maintenance of law and order

Industry Concern:

- Public Health officers who currently have not undergone any training on this law and what to look out for and Police Officers, City Council Officers and all others that are charged with the maintenance of law and order either by central government or local authorities are free to walk into premises and harass business people and customers under the guise of implementing the law.

The introduction of controls into the alcohol industry is a welcome step forward, yet it is clear that the tourism industry will reel under certain provisions in the new law. It is with this understanding that the sector has now sought audience with the relevant agency and ministries to address these points of contention, so that the law may be implemented but without compromising the well being

of the industry.

UTALII COLLEGE: Designated by the UNWTO a 'Center for Professional Excellence'

By Utalii College

Kenya Utalii College prides itself on delivering a quality educational experience in Hospitality and Tourism. By providing the right balance of inspiration and educational resources, we have consistently enjoyed an exceptionally high level of "Graduate Outcomes." Our students' employment rates continue to rank among the highest locally, regionally and internationally- a powerful endorsement of our focus on "centre of excellence in tourism and hospitality."

The College has established a track record of excellence, and has earned the recognition of the World Tourism Organisation (WTO), as one of 28 Institutions worldwide designated by the world tourism body as "Centres of Professional Excellence".

Major restructuring has been carried out internally as the Kenya Utalii College strives to ensure that it lives up to its commitment of meaningful contribution to the industry, through offering high quality training in a bid to aid in the achievement of vision 2030.

ACADEMIC DEPARTMENTS:

The College has a total of six academic departments, i.e. Front Office Operations, Service, Housekeeping and Laundry, Social studies, Tourism and Business Administration. It is through these that world class training is imparted, with special emphasis on upcoming trends in the market.

The College has reconstituted its curricula to ensure that it conforms to the needs of the global hospitality and tourism industry. This move has resulted in the reduction of the duration taken to gain an academic award in any of the courses, e.g. Diploma courses initially took four years, now it takes three years to earn a diploma. The College is on course with its expansion program, expected to see it roll out to all parts of the country.

COURSES OFFERED AT UTALII COLLEGE:

The College has developed new programs to meet growing demand, notably Food and beverage service, Food Production, Housekeeping and Front Office Operations. In total, the College has introduced 3 parallel programs and 5 new short programs in restaurant supervision, banqueting & Event management, project management in F & B Service, Bar Techniques, and environmental Studies.

The College is enhancing the quality of diploma programs for competitive advantage. These diplomas have been restructured and accredited by the Commission for Higher Education. Currently the certificate courses are being restructured for accreditation by the same commission. And in a bid to continue to offer world class training, the College **launched in 2008 new degree programs in collaboration with University of Nairobi** in Hospitality Management and Tourism and Travel Management.

Clearly, Kenya Utalii College is on the right track in respect to offering quality training in hospitality and tourism.

In November 2010, Kenya Utalii College hosted the international conference of the Association of Hospitality and Tourism Schools in Africa (AHTSA). For the college, this attests to its renown the world over, regarding quality of training and meaningful contribution it makes to the global hospitality and tourism sector.

SAMBURU - ISIOLO CONSERVATION AREA MANAGEMENT PLAN, 2010-2020:

The county councils of Samburu and Isiolo have approved a management plan for the Samburu Isiolo conservation area - which covers Buffalo Springs and Shaba National Reserve and the Samburu National Reserve. The management plan runs from 2010 to 2020, and was developed by consultants, KWS conservation planners, Africa Wildlife Fund and Samburu Isiolo conservation area stakeholders.

The management plan comprises 5 management programs designed to enable the conservation area achieve the desired future conditions. The programs are: Ecological, Tourism Development and Management, Community Partnership and education, Security Management and Protected Area Operations Programs.

The management programs each tackle a different aspect of conservation and outline what action will be taken to realize those conservation needs.

The plan was launched on 16th November at Sarova Shaba Lodge.

TOURISM BILL PUBLISHED

In a Kenya gazette supplement of 17th November, 2010, the Minister for Tourism Hon. Najib Balala published the Tourism Bill 2010 for introduction to Parliament. This is the first tourism bill since independence, and if passed in parliament then assented into law by the President, will change the structure of institutions under Tourism. The bill addresses the development, management, marketing and regulation of

sustainable tourism and tourism-related activities and services.

The 106 page document is available at the KTF website at www.kenyatourism.or.ke

HIGHLIGHTS OF THE TOURISM BILL

- The Tourism Bill is a proposed single and comprehensive legislation for development management, marketing and regulation of sustainable tourism and tourism related activities and services consisting of (divided into) 63 sections.
- The bill clearly indicates the various roles to be played by the various tourism sector lead agencies and other stakeholders in order to implement the New National Tourism Policy and help the Nation realize its economic blueprint of Vision 2030.
- The policy direction, strategy and overall coordination in the sector is bestowed upon the proposed strengthened Directorate of Tourism in the Ministry of Tourism.
- Licensing regulation and standardization matters will be handled by the Kenya Tourism Authority. All tourism activities and services in the country to be licensed by this body.
- Provides for resource mobilization to support Tourism Sector activities through the Proposed Kenya Tourism Fund and Tourism Finance Corporation
- Outlines mechanism for granting the necessary Fiscal Incentives to encourage investment in the sector in consultation with the Minister for Finance.
- Training and capacity building for the sector will be handled by Kenya Utalii College.
- The proposed Kenya Tourism Research Institute will handle research and monitoring activities in the sector in order to be able to guide in policy direction.
- The proposed Kenyatta International Conference and Convention Centre will spearhead the promotion of the business of meetings, incentives, conferences and exhibitions (MICE) as a specialized niche tourism segment able to spur great economic development in the country.
- The safety and security of both the visitors and the hosts will be handled by the Kenya Tourism Protection Service in close consultation with the lead government security agencies and stakeholders.
- The bill proposes for a sectoral dispute resolution mechanism through the establishment of National Tourism Tribunal.
- The enactment of the bill will lead to several existing fragmented legislations dealing with tourism matters being repealed as listed here below:

- The Tourism Industry Licensing Act, Cap 381.
- The Kenya Tourist Development Corporation Act, Cap 382.
- The Hotel Accommodation Act, Cap 478.
- The Hotels and Restaurants Act, Cap 494.
- Legal Notices No. 317 of 24th November, 1987 and No. 147 of 31st July 2002 on Kenya Utalii College.
- Legal Notice No. 9 of 7th February 1997 on Kenya Tourist Board.
- Legal Notice No. 77 of 9th July 2004 on Kenyatta International Conference Centre.
- Legal Notice No. 68 of 17 May 2002 on the mandate of the catering and Tourism Development Levy Trustees (CTDLT).

NEW CONSTITUTION DISPENSATION AND ITS EFFECT TO TOURISM IN KENYA

The Kenya Community Based Tourism Network organized a workshop for regional tourism organizations and constitution experts and scholars to discuss the constitution in order to establish expert opinions on how the new constitution will affect the tourism sector; and to come up with a strategic direction to realign themselves to benefit from the new constitutional order.

The workshop was held at Lake Naivasha Holiday Inn on 23rd and 24th November. Mr. Andrew Toboso, the director of strategy at Vision 2030 gave the key note address. There were 4 panelists including Mr. Toboso and Mr. Sammy Kibet of Tourism Trust Fund.

The workshop resolved to among other undertakings:

- As a matter of urgency engage experts to further look at the impact the new constitution will have on the general direction of tourism development in Kenya and advise the regional organization on how to feed into the county processes.
- Recommend KECOBAT to draw Terms of Reference and Scope of work for review by TTF to actualize recommendation above.
- The Regional organizations should lobby for higher allocation of funds to tourism development in the county governments
- There is need to develop a strong network and synergies of the Tourism Regional organizations in the counties for them to learn from each other besides forming a formidable lobbying machine at both the county and national level.
- The local communities should lobby to have strategic representation in devolved funds committees to enhance accountability
- CBTO's should come up with tourism development proposals and forward them to relevant organizations e.g. TTF for funding
- Government departments supporting tourism activities should be merged i.e. Ministry of Culture, Wildlife, Forestry and Tourism and have Tourism offices and officers in all counties
- There should be a clear policy on Human Wildlife conflict, compensation and encroachment

Relevant stakeholders should lobby for the development of tourism

- Relevant stakeholders should lobby for the development of tourism infrastructure within the county governments
- Put in place mechanism for establishing emergency response units - Radio Networks, safety centers, community game scouts and promote community policing to enhance security

CALENDAR OF EVENTS

- 7th December 2010: Basecamp launched the New Mara Naboisho conservancy.
- 10th December 2010: Kenya Airways will launch its Rome route, with the inaugural flight on 16th December

MERRY CHRISTMAS TO OUR READERS:

We at Kenya Tourism Federation are glad to wish all our Christian readers a merry Christmas and a blessed new year to all.

To remove your name from our mailing list, please [click here](#).

Questions or comments? E-mail us at comms@ktf.co.ke; admin@ktf.co.ke, or call (0)20 800 1000

