

DRAFTING NOTE

TOURISM AND HOSPITALITY ACT 2026

1. Status and purpose of this note

This drafting note is explanatory and is not part of the proposed Assembly Act. It identifies the legislative need, the relationship with earlier Eritrean law, the principal matters retained, the modernization choices made and the place of the draft within the emerging constitutional statute book. The instrument remains a consultation draft and should be finalized only after legal, institutional, fiscal and public review.

2. Legislative need and prior law

The supplied corpus contains sparse tourism regulation despite Eritrea's coastline, islands, heritage, climate and diaspora links. A light but credible framework can support investment and visitor safety.

3. What the draft retains

The draft retains basic accommodation and operator standards, consumer safety, destination planning and protection of public and heritage sites.

4. What the draft updates and modernizes

It replaces discretionary entry control with objective and electronic processes, promotes community and small-enterprise participation, accessibility, truthful marketing, environmental stewardship, professional standards, visitor remedies and coordination with immigration, transport and investment law.

5. Constitutional, code and treaty fit

The draft is framed under the Constitution of Eritrea 1997 and must be read with the Civil Code, Penal Code, Civil Procedure Code and Criminal Procedure Code of Eritrea 2015 where those Codes govern. It is also coordinated with the other institutional, financial, commercial, land, labour, administrative and sectoral drafts in this collection. References to international or regional standards guide compatibility and implementation; they do not bypass the Treaty-Making Act or convert an unincorporated instrument into domestic law.

6. Scope and organization

The principal divisions address preliminary provisions; institutions and responsibilities; tourism strategy, planning and destinations; tourism enterprise authorization; accommodation and hospitality; tour operators, travel agents and packages; tour guides and tourism professionals; adventure, marine and special-interest tourism; tourist rights and consumer

protection; online platforms and digital tourism; and the concluding enforcement, transitional and final provisions.

7. Transition, implementation and consultation

The draft preserves lawful accrued rights, completed transactions, pending proceedings and institutional continuity where appropriate, while preventing temporary savings from preserving unconstitutional coercion or indefinite executive discretion. Before enactment or issuance, authentic predecessor instruments and amendments should be verified, cross-references and fiscal capacity confirmed, implementing regulations and digital systems prepared, and affected institutions, professions, communities and the public given a practical opportunity to comment.

CONSULTATION DRAFT — NOT ENACTED LAW

ACT NO. ____/2026

TOURISM AND HOSPITALITY ACT 2026

(ACT)

AN ACT TO PROVIDE FOR SUSTAINABLE AND COMPETITIVE TOURISM, HOSPITALITY STANDARDS, DESTINATION DEVELOPMENT, TOURIST PROTECTION, TOUR OPERATORS AND GUIDES, DIGITAL PLATFORMS, COMMUNITY PARTICIPATION, INVESTMENT, PROMOTION AND RELATED MATTERS.

PREAMBLE

WHEREAS Articles 8 and 21 of the Constitution of Eritrea support sustainable use of natural and cultural resources, economic development, employment and improved livelihood;
WHEREAS Eritrea's Red Sea coast, islands, ports, highlands, historic towns, archaeological heritage, cultures and climate can support open and competitive tourism when peace, freedom, infrastructure and trustworthy institutions are secured;
WHEREAS tourism law should protect visitors, workers, communities and heritage without multiplying licenses already governed by business, food, building, maritime, transport and environmental law;
WHEREAS Proclamation 152/2006 and Legal Notices 104/2006 to 108/2006 should be verified and modernized for online booking, short-term accommodation, consumer finance, responsible investment and digital services;
WHEREAS tourism promotion shall be separated from licensing and enforcement so that the regulator does not conceal safety or consumer problems to protect a destination's image;
NOW, THEREFORE, the National Assembly of Eritrea enacts as follows:

CHAPTER I
PRELIMINARY PROVISIONS

Article 1 — Short title

This Act may be cited as the Tourism and Hospitality Act 2026.

Article 2 — Objects

1. develop sustainable, competitive and inclusive tourism;
2. create employment, enterprise, investment and local economic benefit;
3. protect tourists through truthful information, safety, fair contracts and remedies;
4. preserve natural, cultural, community and religious heritage;
5. establish proportionate standards for accommodation, operators, guides and activities;
6. facilitate travel, digital services, accessible tourism and regional cooperation;

7. separate promotion from regulation and prevent monopoly and political favoritism; and
8. provide transparent planning, data, licensing and review.

Article 3 — Application of Act

1. This Act applies to tourism enterprises, services, activities, destinations and promotion in Eritrea.
2. It binds public bodies, public enterprises and private persons.
3. Ordinary business, food, labour, transport, maritime, aviation, building, environment, heritage, competition, consumer and immigration laws apply additionally within their scope.

Article 4 — Definitions

1. “accommodation establishment” means a hotel, guesthouse, hostel, lodge, campsite, short-term rental or other prescribed tourist accommodation;
2. “Authority” means the Tourism Standards and Protection Authority established by this Act;
3. “destination” means an area promoted and managed as a visitor destination;
4. “guide” means a person who provides interpretation, direction or specialized visitor guidance for reward;
5. “platform” means a digital intermediary facilitating tourism information, booking, payment or review;
6. “tour operator” means a person who combines or arranges two or more travel services or organizes tours for reward;
7. “tourist” includes a visitor receiving tourism service, whether domestic or international; and
8. “tourism enterprise” means a business principally providing a prescribed tourism service.

Article 5 — Constitutional interpretation

1. The Constitution prevails, and every power shall respect equality, property, livelihood, expression, privacy, religion, due process and judicial review.
2. Tourism development shall not be used to displace communities, privatize public coast unlawfully, restrict ordinary travel or censor truthful criticism.
3. A restriction shall be lawful, necessary, proportionate and no broader than reasonably required.

Article 6 — Relationship with other legislation

1. Business registration and general licensing are governed by the Commercial Code and Business Licensing Act, and this Act adds only tourism-specific authorization justified by risk.
2. Food premises are governed by food-safety law, buildings by building law, and vessels and navigation by the Maritime Code.
3. The Environmental Protection and Climate Resilience Act and Cultural and Natural Heritage Act govern environmental and heritage authorization.

4. An authorization under this Act does not grant land, immigration, transport, environmental, food or building approval.

Article 7 — Tourism principles

1. open and competitive markets;
2. local and community benefit;
3. environmental and cultural stewardship;
4. visitor dignity, safety and accessibility;
5. truthful information and fair dealing;
6. worker rights and professional competence;
7. public access to coast and heritage subject to lawful protection;
8. evidence, transparency and accountable review; and
9. technology serving human hospitality and informed choice.

CHAPTER II INSTITUTIONS AND RESPONSIBILITIES

Article 8 — Tourism Standards and Protection Authority

1. The Tourism Standards and Protection Authority is established as an independent statutory body with legal personality.
2. It shall regulate tourism standards, consumer safeguards and professional authorizations and shall not operate a tourism enterprise or market a destination commercially.

Article 9 — Functions of Authority

1. administer tourism-specific authorizations and public registers;
2. maintain accommodation classification and service standards;
3. investigate tourism consumer and safety complaints;
4. monitor sector performance and compliance;
5. coordinate destination and emergency standards; and
6. publish decisions, data and annual reports.

Article 10 — Governing Board

1. A Board shall oversee strategy, independence, finance and performance.
2. Members shall be selected through a public merit process for expertise in tourism, hospitality, consumers, law, finance, environment, heritage, communities, disability and local government.
3. A majority shall not be serving executive officials, and appointment, tenure, recusal and removal shall be transparent.

Article 11 — Director-General and staff

1. The Board shall appoint a Director-General through open competition for a protected renewable term.
2. Staff shall be recruited on merit and disclose interests in tourism enterprises, land and concessions.
3. A former enterprise representative shall not decide a matter involving that enterprise during a prescribed cooling-off period.

Article 12 — Eritrea Tourism Promotion Agency

1. A separate Eritrea Tourism Promotion Agency is established to conduct destination marketing, market research and industry promotion.
2. The Promotion Agency shall not issue licenses, conceal regulatory findings or direct enforcement.
3. Its campaigns, contracts, sponsorships and performance shall be transparent and audited.

Article 13 — Local tourism functions

1. Local governments may plan destinations, provide visitor infrastructure, manage local sites and support enterprises within local-government law.
2. Local tourism offices shall not create unauthorized permits, fees or roadblocks.
3. Several local governments may establish a joint destination organization through a published agreement.

Article 14 — Tourism Advisory Council

1. A Council shall advise on policy, markets, skills, community benefit, accessibility, heritage and sustainability.
2. Membership shall include enterprises, workers, consumers, communities, diaspora, women, youth, disability, conservation and academic representatives.
3. Advice and declared interests shall be published.

Article 15 — Annual reports

1. The Authority and Promotion Agency shall submit separate annual reports to the National Assembly and publish them within six months after year end.
2. Reports shall address licenses, complaints, safety, visitors, markets, community benefits, contracts, finance and performance.
3. The Auditor General shall audit public resources under applicable law.

CHAPTER III

TOURISM STRATEGY, PLANNING AND DESTINATIONS

Article 16 — National tourism strategy

1. Government shall publish a costed five-year strategy for products, destinations, infrastructure, skills, access, investment, markets, resilience and institutions.
2. The strategy shall identify measurable outcomes, responsible bodies, public cost and risks.
3. It shall not itself grant land, concession or exclusive commercial right.

Article 17 — Tourism data

1. The Authority shall maintain reliable data on arrivals, domestic travel, expenditure, employment, accommodation, seasonality, complaints and environmental and community effects.
2. Methods, estimates, uncertainty and revisions shall be disclosed.
3. Personal traveler and commercially sensitive data shall be protected under law.

Article 18 — Destination plans

1. A destination plan shall coordinate land use, access, infrastructure, water, waste, safety, heritage, carrying capacity, enterprise and community benefit.
2. It shall be integrated with spatial, environmental and heritage planning.
3. Affected communities, businesses, workers and visitors shall receive meaningful participation.

Article 19 — Tourism zones

1. A tourism zone may coordinate infrastructure and standards but does not transfer title or exempt an enterprise from ordinary law.
2. Designation requires mapped boundaries, evidence, participation, finance and a reasoned instrument.
3. A zone shall not create a private enclave excluding lawful residents or public coastal access.

Article 20 — Carrying capacity

1. A sensitive destination or site shall establish evidence-based visitor, vehicle, vessel, waste or activity limits where necessary.
2. Limits shall be transparent, periodically reviewed and allocated fairly.
3. Price alone shall not be the only access mechanism where it would exclude local and educational use unfairly.

Article 21 — Community tourism

1. Communities may develop homestays, guides, cultural experiences, camps, cooperatives and conservation tourism under proportionate rules.
2. Public bodies shall support training, market access, finance and digital visibility without capturing community ownership.
3. Sacred, secret or culturally restricted knowledge shall not be commercialized without lawful community authorization.

Article 22 — Public access and inclusion

1. Destination planning shall protect reasonable public access to beaches, viewpoints, trails and publicly owned heritage subject to safety and conservation.
2. Facilities and information shall progressively accommodate persons with disabilities, older persons and families.
3. An exclusive concession shall preserve lawful public and community access defined in its terms.

Article 23 — Climate and emergency resilience

1. Tourism plans and major enterprises shall assess heat, drought, flood, sea-level, storm, disease, fire and supply risks.
2. Operators shall maintain continuity, evacuation, communication and refund arrangements proportionate to risk.
3. Recovery support shall use transparent criteria and build greater resilience.

CHAPTER IV TOURISM ENTERPRISE AUTHORIZATION

Article 24 — Single registration principle

1. A tourism enterprise shall use the general business registry as the authoritative identity and beneficial-ownership record.
2. Tourism-specific authorization shall be required only for activities prescribed by this Act because of safety, consumer funds, specialized competence or destination risk.
3. No authority shall require duplicate incorporation, tax or beneficial-ownership filings.

Article 25 — Activities requiring authorization

1. Prescribed accommodation, package-tour operation, specialized guiding, adventure activity and another material-risk tourism service require authorization.
2. Restaurants require food and business authorization but no separate tourism permit merely because tourists use them.
3. Tourist pleasure craft require maritime authorization, and the Authority may recognize that authorization rather than duplicate it.

Article 26 — Authorization application

1. An applicant shall identify business registration, beneficial owners, service, premises, competence, insurance, consumer-money arrangements and emergency systems as relevant.
2. The Authority shall not demand information reliably available from an interoperable public register.
3. A complete application shall be decided within a published period.

Article 27 — Decision criteria

1. Authorization shall depend on lawful establishment, competence, safety, financial and consumer capacity and fit-for-purpose systems.
2. Market demand, political sponsorship or protection of an incumbent is not a licensing criterion.
3. Refusal shall provide reasons, corrective options and appeal rights.

Article 28 — Conditions

1. Conditions shall be specific, proportionate, measurable and connected to tourism risks under this Act.
2. A condition may address insurance, client funds, staff competence, emergency plans, reporting and service scope.
3. It may not create an exclusive territory or waive another Act.

Article 29 — Duration and renewal

1. Authorization shall have a reasonable duration and may use continuing registration with periodic declaration and risk review.
2. Renewal shall consider compliance and current capacity without requiring repeated submission of unchanged information.
3. An authority shall give advance notice of new requirements and reasonable transition.

Article 30 — Transfer and change of control

1. A material change of beneficial ownership or control shall be disclosed.
2. Transfer of a high-risk authorization requires approval and acceptance of duties.
3. Approval shall not be withheld to prevent legitimate investment or competition.

Article 31 — Suspension and cancellation

1. The Authority may suspend or cancel authorization for fraud, serious safety or consumer breach, insolvency risk, persistent noncompliance or loss of capacity after fair process.
2. Immediate interim suspension may prevent imminent serious harm and shall receive prompt independent review.
3. Cancellation does not remove refund, compensation or record duties.

Article 32 — Public register

1. The Authority shall maintain a searchable register of authorized enterprises, beneficial owners, scope, classification, status and final enforcement decisions.
2. Protected personal and security information may be withheld narrowly.
3. A tourist may rely reasonably on current official status.

CHAPTER V ACCOMMODATION AND HOSPITALITY

Article 33 — Accommodation standards

1. Accommodation shall provide safe structure, fire protection, water, sanitation, hygiene, security, truthful capacity and emergency information.
2. Standards shall be proportionate to type, location, price and represented service.
3. A rural homestay shall not be required to imitate a city hotel where health and safety are protected.

Article 34 — Classification and grading

1. A voluntary or prescribed classification shall use published objective criteria, trained independent assessment and periodic review.
2. Stars, grades and protected descriptions shall not be used without current entitlement.
3. Classification shall distinguish mandatory safety from optional amenity and service quality.

Article 35 — Prices and booking terms

1. An operator shall disclose total price, taxes, mandatory charges, deposit, cancellation, check-in, accessibility and material restrictions before booking.
2. A hidden resort, service or currency-conversion charge is prohibited.
3. Material terms shall be provided in durable form.

Article 36 — Overbooking and relocation

1. An operator accepting a confirmed booking shall provide the agreed accommodation or a reasonably equivalent or better alternative without additional cost.
2. The tourist may reject a materially inferior alternative and receive prompt refund and foreseeable reasonable loss.
3. Intentional systematic overbooking shall be an unfair practice.

Article 37 — Guest privacy and security

1. Accommodation shall use proportionate guest identification, key, access, storage and emergency controls.

2. Secret surveillance in a guest room, bathroom or another private space is prohibited.
3. Guest information shall not be disclosed to political, commercial or security actors without lawful authority.

Article 38 — Short-term rentals

1. A person offering short-term accommodation through a platform shall register as prescribed and meet basic safety, tax, consumer and local-use rules.
2. Regulation shall distinguish occasional home-sharing from a professional accommodation business.
3. Local limits addressing housing or nuisance require spatial or local-government authority, evidence and review.

Article 39 — Camps and remote lodges

1. A remote camp or lodge shall manage water, sanitation, waste, fire, wildlife, medical communication and evacuation according to risk.
2. Temporary and mobile operations shall restore sites and respect community access and land rights.
3. Luxury branding does not justify exclusive control over public or community land.

Article 40 — Food and beverage service

1. Food and beverage safety is governed by the Agriculture, Plant and Animal Health, and Food Safety Act and public-health law.
2. The Authority may consider verified food compliance in accommodation classification but shall not conduct duplicate food licensing.
3. Hospitality staff shall receive suitable hygiene and allergen information.

CHAPTER VI TOUR OPERATORS, TRAVEL AGENTS AND PACKAGES

Article 41 — Tour-operator authorization

1. A tour operator handling advance consumer funds or organizing material travel risk requires authorization.
2. The operator shall demonstrate competence, contracts, emergency support, financial protection and records.
3. A mere booking intermediary that does not organize or control a package shall be regulated according to its actual role.

Article 42 — Package information

1. Before contract, the organizer shall disclose itinerary, services, total price, minimum group, passport and health information, accessibility, risks, insurance and cancellation.

2. The organizer is responsible for accuracy of material descriptions supplied by participating providers where reasonably verifiable.
3. Changes shall be communicated promptly.

Article 43 — Package contract

1. The contract shall identify organizer, traveler, included services, price, payment, transfer, changes, cancellation, assistance, complaint and governing terms.
2. A term shall be clear and provided in durable form.
3. A term excluding liability for fraud, gross negligence, personal injury caused unlawfully or statutory rights is ineffective.

Article 44 — Changes before departure

1. A material change before departure entitles the traveler to accept, choose a comparable substitute or cancel for prompt refund.
2. A minor objectively necessary change may proceed with notice and appropriate price adjustment.
3. A price increase is permitted only on disclosed grounds and within a reasonable pre-departure period.

Article 45 — Performance of package

1. The organizer is responsible for performance of included services, subject to rights of contribution against suppliers.
2. The traveler shall receive prompt remedy, alternative arrangement or proportionate price reduction for nonconformity.
3. Personal injury and emergency needs shall receive immediate assistance.

Article 46 — Cancellation by traveler

1. A traveler may cancel subject to a reasonable disclosed charge reflecting timing and irrecoverable cost.
2. Cancellation without charge is available where unavoidable extraordinary circumstances materially affect the destination or performance.
3. Substitution of another eligible traveler shall be permitted on reasonable notice and actual cost.

Article 47 — Cancellation by organizer

1. An organizer may cancel for stated minimum participation or unavoidable extraordinary circumstances and shall refund promptly.
2. It remains liable for avoidable loss caused by late or improper cancellation.
3. Insolvency is not an extraordinary-circumstances defense.

Article 48 — Insolvency protection

1. An operator receiving advance funds shall maintain trust, bond, insurance or another approved arrangement sufficient for refunds and repatriation.
2. Consumer funds shall be segregated according to risk and not used as unsecured working capital beyond lawful limits.
3. Protection and claim process shall be disclosed before payment.

Article 49 — Travel agents

1. An agent shall disclose whether it acts for the traveler, supplier or organizer and identify the contracting principal.
2. It shall account for money, transmit bookings accurately and disclose remuneration or conflict material to choice.
3. An agent is liable for its own negligence, fraud and unauthorized representation.

CHAPTER VII TOUR GUIDES AND TOURISM PROFESSIONALS

Article 50 — Guide categories

1. General guiding may require registration, while specialized guiding for diving, mountain, archaeological, wildlife or another safety-sensitive activity requires demonstrated competence.
2. Categories and requirements shall be published and based on actual risk.
3. Community members may guide within their locality through accessible recognition of knowledge and skills.

Article 51 — Guide registration

1. Registration shall consider identity, language, knowledge, first aid, ethics and category competence.
2. Recognition of prior learning shall credit practical, community, diaspora and foreign experience.
3. Political or security recommendation is not a qualification.

Article 52 — Duties of guides

1. A guide shall act competently, provide accurate information, protect clients, respect communities and heritage and disclose conflict.
2. The guide shall not harass clients, facilitate exploitation, misrepresent credentials or remove protected objects.
3. Interpretation may express professional opinion and shall not be compelled to repeat official propaganda.

Article 53 — Guide independence and employment

1. A guide may work independently, cooperatively or as an employee according to commercial and labour law.
2. An operator shall not misclassify an employee to avoid wages, insurance or safety duties.
3. Exclusive-guide arrangements at public sites require lawful transparent justification.

Article 54 — Training and continuing competence

1. Public and private institutions may provide guide and hospitality training under education and qualifications law.
2. Specialized guides shall maintain first aid, rescue, environmental and technical competence appropriate to risk.
3. Training requirements shall be accessible and not controlled by one provider.

CHAPTER VIII ADVENTURE, MARINE AND SPECIAL-INTEREST TOURISM

Article 55 — Adventure-activity authorization

1. A prescribed high-risk activity requires an operator with competent staff, equipment, risk assessment, emergency plan and insurance.
2. Requirements shall reflect actual activity and local conditions.
3. A participant waiver does not excuse unlawful negligence or concealment of material risk.

Article 56 — Participant information and consent

1. Before participation the operator shall disclose material risk, physical requirements, equipment, conduct, emergency limitations and price.
2. Medical information shall be collected only as necessary and protected.
3. A child requires age-appropriate assent and lawful parental consent for a material-risk activity.

Article 57 — Marine tourism

1. Diving, snorkeling, boating, cruise and island tourism shall comply with the Maritime Code, port, safety, environmental and protected-area law.
2. Tourism authorization shall recognize valid vessel and operator certification rather than duplicate navigation controls.
3. Reef, wildlife and cultural-site rules shall be communicated and enforced proportionately.

Article 58 — Diving services

1. A prescribed diving operator shall use recognized competence standards, maintained equipment, logs, briefings, oxygen and emergency arrangements.
2. Diver certification and experience shall match site conditions.

3. Removal or disturbance of underwater heritage and protected marine life is prohibited without separate authorization.

Article 59 — Wildlife tourism

1. Wildlife viewing shall maintain distance, limit disturbance, avoid feeding and comply with protected-area and wildlife rules.
2. A wildlife encounter shall not be staged through cruelty, unlawful captivity or habitat damage.
3. Revenue and employment arrangements shall provide fair host-community benefit where applicable.

Article 60 — Cultural and religious tourism

1. Visits shall respect worship, local life, dress or conduct requirements lawfully adopted and disclosed.
2. A community or religious institution may set reasonable access, photography, timing and carrying-capacity rules.
3. Commercial use shall not appropriate sacred knowledge or exclude ordinary worship.

Article 61 — Medical and wellness tourism

1. A tourism enterprise arranging healthcare shall disclose provider licensing, treatment responsibility, cost, aftercare, insurance and complaint routes.
2. Medical services remain governed by health law and may not be marketed with false outcomes.
3. Wellness claims shall be truthful and shall not disguise unlicensed medical practice.

CHAPTER IX TOURIST RIGHTS AND CONSUMER PROTECTION

Article 62 — Fair treatment

1. A tourist shall receive services without prohibited discrimination and with respect for dignity, privacy, religion and disability.
2. Differential resident or community pricing may be lawful if transparent and objectively justified.
3. A foreign tourist shall not be charged an unofficial price by an officer or public enterprise.

Article 63 — Truthful information

1. A tourism business shall not make a materially false claim about quality, location, view, access, safety, sustainability, heritage, wildlife or availability.
2. Representative images shall not conceal material limitations.
3. Sponsored endorsements and paid rankings shall be disclosed.

Article 64 — Currency and payment

1. Prices shall identify currency and exchange method before payment.
2. A business shall not impose forced currency conversion at an artificial official rate without lawful authority and informed agreement.
3. Electronic and cash payment options may be regulated for security and access but shall not facilitate expropriation.

Article 65 — Deposits and refunds

1. A deposit and refund term shall be clear, proportionate and linked to actual reservation risk.
2. A refund due shall be processed promptly through the original or agreed method.
3. A platform and principal shall disclose which person holds and owes the money.

Article 66 — Complaints

1. A tourism enterprise shall maintain accessible complaint, evidence and response procedures.
2. Complaint shall not cause retaliation, eviction without cause or withholding of identity documents.
3. Unresolved complaints may proceed to the Authority, consumer body, Tribunal or court.

Article 67 — Tourist assistance

1. The Authority shall maintain accessible information on rights, emergencies, authorized providers and complaints.
2. Foreign visitors shall receive reasonable assistance contacting consular representatives under law.
3. Assistance does not replace the visitor's responsibility to comply with Eritrean law.

Article 68 — Liability and insurance

1. Liability for injury, loss and contract is governed by the Civil Code and this Act.
2. A prescribed high-risk operator shall maintain adequate liability insurance or financial security.
3. A disclaimer shall not exclude statutory duties, fraud, gross negligence or unlawful personal-injury liability.

CHAPTER X ONLINE PLATFORMS AND DIGITAL TOURISM

Article 69 — Platform responsibilities

1. A platform targeting Eritrean tourism shall disclose its identity, role, ranking principles, total price, payment holder and complaint contact.

2. It shall act promptly on verified illegal listings, fraud, serious safety risk and false authorization claims.
3. It is not automatically the provider of every listed service but is liable for its own representations and statutory duties.

Article 70 — Verification of listings

1. A platform shall verify prescribed business or authorization identifiers and display current status through interoperable registers where available.
2. A platform shall not create a false impression that verification guarantees quality beyond official status.
3. Repeated unlawful relisting by the same beneficial operator shall be prevented reasonably.

Article 71 — Ranking and reviews

1. Material paid placement, commission influence and personalization of ranking shall be disclosed.
2. A platform shall use reasonable measures against fabricated reviews while preserving genuine critical opinion.
3. An enterprise may respond but shall not suppress a truthful review through intimidation or abusive legal terms.

Article 72 — Platform records and tax cooperation

1. A platform shall retain booking, payment and listing records necessary for consumer, safety and lawful tax administration.
2. Disclosure to government requires legal authority, necessity and data safeguards.
3. A platform shall not be made a general political-surveillance intermediary.

Article 73 — Digital access and interoperability

1. Public tourism information, maps, permits and non-sensitive data shall use accessible and reusable formats.
2. Small enterprises shall have a practical route to digital discovery without purchasing exclusive public-platform access.
3. Government systems shall avoid vendor lock-in and preserve lawful migration.

CHAPTER XI

INVESTMENT, CONCESSIONS AND PUBLIC ASSETS

Article 74 — Tourism investment

1. Domestic, diaspora and foreign investors may establish tourism enterprises on equal lawful terms under investment and commercial law.
2. Incentives require an Assembly Act, transparent eligibility, fiscal assessment and published beneficiaries.

3. No investor receives immunity from labour, land, environment, tax or consumer law.

Article 75 — Land for tourism

1. Tourism land shall be obtained through lawful ownership, lease, community agreement or acquisition under the Land Act.
2. A project affecting Community Land Rights requires consultation, consent where law provides, compensation and fair benefit.
3. Designation as a tourism zone does not make land available to government or an investor.

Article 76 — Public concessions

1. A significant right to operate at a public beach, park, heritage site, port or facility shall be awarded through transparent competitive procedure.
2. The concession shall state term, access, fees, investment, employment, community benefit, maintenance, performance and termination.
3. A direct award requires exceptional lawful grounds and publication.

Article 77 — Public-private partnerships

1. A tourism public-private partnership shall comply with procurement, public-finance, debt and audit law.
2. Demand, exchange, land, environmental, termination and contingent-liability risks shall be disclosed and allocated rationally.
3. A future government shall not be bound by a secret guarantee or unlawful stabilization clause.

Article 78 — Public tourism enterprises

1. A public tourism enterprise shall operate under commercial, competition, tax, labour and accounting rules equivalent to private enterprises.
2. It shall not receive regulatory preference or confidential competitor information.
3. Subsidy, public-service obligation and related-party transaction shall be published.

Article 79 — Diaspora participation

1. Policy shall facilitate diaspora investment, skills, networks, second homes and tourism enterprise without discriminatory extraction or forced currency conversion.
2. Diaspora status shall not excuse ordinary tax, consumer, labour or land law.
3. Investment information and procedures shall be digitally accessible.

CHAPTER XII

SUSTAINABILITY, COMMUNITIES AND WORKERS

Article 80 — Environmental duties

1. Tourism enterprises shall comply with environmental assessment, pollution, waste, water, wildlife and protected-area law.
2. Sustainability claims shall be evidence-based and independently verifiable where material.
3. Resource scarcity shall be managed without diverting basic community water to luxury use unfairly.

Article 81 — Cultural and heritage duties

1. Tourism use shall conserve heritage significance, authenticity and living community use.
2. Removal, export, staging or reproduction of protected heritage requires lawful authorization.
3. Interpretation shall distinguish evidence, legend and opinion and may present plural histories.

Article 82 — Community benefit agreements

1. A major project affecting a host community may be required under land, environment or concession law to enter a fair benefit agreement.
2. Benefits may include revenue, employment, procurement, training, infrastructure, access and conservation.
3. The agreement shall be negotiated with independent advice, published subject to privacy and monitored.

Article 83 — Tourism workers

1. Tourism workers are protected by labour, social-insurance, occupational-safety and equality law.
2. Seasonal, casual, migrant and platform-mediated status shall not be used to evade employment rights.
3. Tips and service charges shall be distributed under transparent rules and shall not replace lawful wages.

Article 84 — Prevention of exploitation

1. A tourism enterprise shall not facilitate trafficking, sexual exploitation, child abuse, forced labour or trade in illicit goods.
2. Staff shall receive proportionate safeguarding and referral training.
3. Measures shall protect victims and privacy and avoid discriminatory profiling of communities or workers.

Article 85 — Local procurement and enterprise

1. Public destination programs shall strengthen local food, crafts, transport, guiding, culture and service enterprises through open opportunity and capacity support.
2. A local-preference measure shall be transparent, proportionate and consistent with competition and procurement law.
3. Tourists shall receive honest origin and authenticity information.

CHAPTER XIII SAFETY, CRISIS AND INSURANCE

Article 86 — General safety duty

1. An operator shall assess foreseeable risks, maintain competent staff and equipment, provide warnings and take reasonable preventive measures.
2. The duty reflects the service, participant vulnerability, environment and represented expertise.
3. Compliance with a minimum rule does not excuse concealment of a known serious risk.

Article 87 — Emergency plans

1. A prescribed enterprise shall maintain plans for medical emergency, fire, missing person, violence, weather, disease, transport failure and evacuation.
2. Plans shall identify communication, local responders, client records and family contact.
3. Exercises and after-action reviews shall be proportionate to risk.

Article 88 — Incident reporting

1. Death, serious injury, missing tourist, major evacuation and prescribed safety failure shall be reported promptly.
2. Reporting does not constitute admission but concealment or falsification is prohibited.
3. The Authority shall publish aggregate lessons without compromising investigation or privacy.

Article 89 — Travel insurance information

1. A seller shall state whether insurance is included, optional or required and disclose material exclusions.
2. A person selling insurance shall be authorized under insurance law.
3. A tourism enterprise shall not receive undisclosed commission that biases advice.

Article 90 — Crisis coordination

1. Government shall maintain coordinated tourism crisis communication, traveler assistance, transport and business continuity arrangements.
2. Regulatory safety information shall not be suppressed to protect tourism reputation.

3. Emergency support to businesses requires transparent fiscal authority and objective criteria.

CHAPTER XIV INSPECTION, ENFORCEMENT AND REMEDIES

Article 91 — Tourism inspectors

1. The Authority may appoint trained inspectors with written identification and defined jurisdiction.
2. Inspectors shall act proportionately, preserve evidence and respect privacy, property, privilege and business continuity.
3. Performance shall not be rewarded by penalties, closures or license cancellations.

Article 92 — Entry and warrants

1. An inspector may enter regulated business premises at a reasonable time, inspect services and copy relevant records.
2. Entry into a dwelling used occasionally for short-term rental, forcible entry or intrusive search requires a judicial warrant except for immediate serious danger.
3. Inspection of an occupied guest room requires consent, emergency necessity or warrant.

Article 93 — Compliance and prohibition notices

1. A notice shall state facts, law, corrective action, deadline and review rights.
2. An urgent prohibition may stop an activity presenting imminent serious risk and shall receive prompt independent review.
3. The measure shall be varied or withdrawn where evidence changes.

Article 94 — Administrative penalties

1. A Schedule enacted by the National Assembly may establish proportionate administrative penalties for specified contraventions.
2. Assessment shall consider harm, risk, fault, consumer loss, benefit, cooperation, recurrence and enterprise size.
3. Liability requires notice, response, reasons and independent appeal.

Article 95 — Criminal referral

1. Evidence reasonably indicating knowing or reckless operation of a prohibited high-risk activity, misuse of client trust funds, falsification of authorization, facilitation of exploitation, obstruction of an inspector or breach of a judicial order shall be referred for investigation where the conduct may constitute an offence under the Penal Code or another Assembly Act.
2. Criminal liability arises only under a law that defines and classifies the offence; this Act does not by itself create an unclassified offence or penalty.

3. A minor technical breach without material risk should ordinarily be corrected administratively, and criminal referral does not displace consumer, civil, administrative or protective remedies under this Act.

Article 96 — Civil remedies

1. A tourist, enterprise, community, Authority, consumer body or Advocate General may seek declaration, injunction, refund, repatriation cost, correction and lawful compensation.
2. A court may order cessation, performance, disclosure, restoration and publication of correction.
3. Public enforcement does not extinguish rights under the Civil or Commercial Code.

CHAPTER XV DATA, ARTIFICIAL INTELLIGENCE AND APPEALS

Article 97 — Tourism data governance

1. Public and enterprise tourism data shall be collected for clear lawful purposes and be accurate, minimal, secure and retained appropriately.
2. Guest and movement data shall not be used for political profiling or unrelated surveillance without specific legal authority.
3. Aggregate data should be open for planning, research and enterprise.

Article 98 — Artificial intelligence

1. Artificial intelligence may assist translation, itinerary design, demand forecasting, accessibility, fraud detection and inspection targeting.
2. No automated system may finally deny a license, impose liability, cancel a booking right, determine fraud or decide an appeal.
3. Material systems shall be explainable, secure, tested for linguistic and group error and subject to accountable human review.
4. A person may correct data and challenge an automated contribution to a decision.

Article 99 — Tourism Tribunal

1. An independent Tourism Tribunal is established to hear appeals under this Act.
2. Members shall be appointed through a transparent merit process and include legal, consumer, tourism, finance, community and safety competence with protected tenure.
3. The Tribunal shall be separate from ministries, the Authority, Promotion Agency and public tourism enterprises.

Article 100 — Standing and powers

1. An applicant, tourist, enterprise, guide, community, local government or genuine public-interest organization has standing according to the matter.

2. The Tribunal may confirm, vary, suspend or set aside a decision, remit it with directions and grant interim protection.
3. Procedure shall be accessible, timely and proportionate, and decisions shall be reasoned and public with privacy safeguards.

Article 101 — Court review

1. A party may appeal to the competent court on law as prescribed by court legislation.
2. Constitutional and supervisory judicial review remains available and shall not be excluded by regulation, platform term or concession.
3. A court may grant effective preventive, contractual, restorative and compensatory relief within its jurisdiction.

CHAPTER XVI REGULATIONS, TRANSITION AND COMMENCEMENT

Article 102 — Regulation-making authority

1. The President may, on recommendation of the Authority and responsible Minister, make regulations necessary for matters expressly delegated by this Act.
2. Draft regulations shall identify authority, evidence and impact and allow at least sixty days for public comment except for a temporary emergency measure.
3. Regulations may prescribe risk categories, standards, procedures, registers, classification, financial protection, records and transition consistent with this Act.

Article 103 — Limits on delegated power

1. A regulation may not create a tax, compulsory acquisition, imprisonment, unlegislated offence or penalty, final automated decision or exclusion of courts.
2. It may not grant a named monopoly, waive land or environmental law, prohibit truthful criticism, compel foreign-currency conversion or authorize unrestricted surveillance of guests.
3. An incorporated technical standard shall be identifiable and reasonably accessible.

Article 104 — Legacy-law audit

1. Within eighteen months the Authority and Legislative Revision Unit shall compare authentic texts of Proclamation 152/2006 and Legal Notices 104/2006 to 108/2006 against this Act.
2. Useful technical provisions may continue temporarily if published, consistent with this Act and lawfully remade within eighteen months.
3. Obsolete, duplicate and unconstitutional permits and controls shall be identified in a verified repeal and savings schedule for the National Assembly.

Article 105 — Existing authorizations and classifications

1. A lawful authorization, guide credential or classification existing at commencement continues temporarily subject to registration and alignment with this Act.
2. An enterprise shall receive reasonable compliance time unless an immediate serious risk requires action.
3. Accrued tourist rights, refunds, liabilities and proceedings are preserved.

Article 106 — Implementation plan

1. Within six months the Authority and Promotion Agency shall publish separate three-year plans for institutions, registers, standards, skills, destinations, digital systems and market development.
2. Plans shall identify appropriations, milestones, sequencing and responsible bodies.
3. Limited capacity shall not justify monopoly, corruption, unsafe service, false representation or denial of review.

Article 107 — Commencement

1. Articles 1 to 15, 24 to 32, 41 to 49, 62 to 73 and 91 to 107 commence thirty days after publication in the Gazette.
2. Remaining Articles commence on dates appointed by published regulation within eighteen months, and any Article not appointed by then commences automatically.
3. A commencement regulation may arrange transition but may not postpone tourist safety, client-fund protection, truthful pricing, complaints or court review.

Made at Asmara, this ____ day of _____ 2026.

THE NATIONAL ASSEMBLY OF ERITREA