

CHAPTER 1 NAME AND LEGAL STATUS

Name

1. The name of the authority is the Tourism, Hospitality and Sport Education and Training Authority. The shortened form of the name is THETA.

Sector

2. The national economic sector for which THETA is constituted is the Tourism, Hospitality and Sport sector as determined by the Minister and in which employers and their employees are associated throughout South Africa for the following activities as their main business:
 - 2.1 hotels and restaurants, including hotels, motels, resorts and game lodges, hostels, guest houses, guest farms and bed-&-breakfasts;
 - 2.2 provision of short-stay accommodation, including short-term rentals, self-catering or time shares, camps and caravan parks;
 - 2.3 restaurants, bars, canteens and other catering services, including food preparation, food and beverage services, licensed clubs and fine dining establishments; pubs and taverns; fast food outlets, snack bars and kiosks; industrial and contract caterers; function and outside caterers;
 - 2.4 travel agencies, tour operators and related activities, including retail and general travel operations, tourism marketing and development agencies and companies; tourism authorities, commissions and boards; tourist information centres; tourism industry associations;
 - 2.5 destination management; including tour operators and guides; venue management; museums; special attractions, management of special events, conventions, exhibitions and festivals; event, conference, festival and attraction venue management; fun fairs and parks; rafting, abseiling, hang-gliding, bungee-jump and other adventure tourism operations;
 - 2.6 motor car rental services;
 - 2.7 conservation, game parks and zoological establishments, including wildlife conservation, wildlife parks and game reserves; camp and conservation park management; trekking and safari operators; botanical gardens;
 - 2.8 gaming and gambling, including casinos and other table, electronic and slot machine gaming outlets; clubs; gambling, betting and bookmaking operators; totalisators; lottery operations; horse racing clubs;
 - 2.9 inbound international airline operators;

- 2.10 sport or recreation services or facilities to sporting bodies, sports persons or the public at large;
- 2.11 event management; sponsorship; sports media and allied activities;
- 2.12 any kind of sports and recreation, events or indoors, for professionals or amateurs, and the operation of the facilities in which these are performed;
- 2.13 the operation of facilities for all sports arenas and stadiums;
- 2.14 sporting events and the activities of sportsmen, sponsors, athletes, judges, umpires, referees, timekeepers, instructors, teachers, coaches, other technical officials and administrators;
- 2.15 sport and game schools;
- 2.16 hunting for sport or recreation;
- 2.17 parks and beaches, fairs and shows of a recreational nature;
- 2.18 gymnasiums, health and lifestyle clubs, aerobic and fitness centres and activities;
- 2.19 the racing trust, jockey club and jockey associations;
- 2.20 recreational transport activities such as cable way transport at sightseeing places; and
- 2.21 such other sub-sectors as the Minister may approve to enter the sector from time to time.

Legislation

- 3. THETA is established pursuant to the following legislation and regulations:
 - 3.1 The Skills Development Act, Number 97 of 1998;
 - 3.2 The Skills Development Levies Act, Number 9 of 1999;
 - 3.3 Regulations regarding the establishment of SETAs, Number 20442 of 1999;
 - 3.4 The South African Qualifications Authority Act, Number 58 of 1995; and
 - 3.5 Regulations regarding Education and Training Quality Assurance, Number 19231 of 1998.

Legal status

- 4. THETA is a body corporate with an identity and existence distinct from its office-bearers or members. It will continue to exist notwithstanding changes in the

composition of its membership or office bearers. It may sue or be sued in its own name and is capable of having its own rights, duties and obligations.

5. It is an association not for gain.
6. The income and property of THETA, whencesoever derived, shall be applied solely towards the promotion of its objects, and no portion thereof shall be paid, transferred or distributed, directly or indirectly, by way of dividend, bonus, or otherwise howsoever, to the members of THETA: provided that nothing herein contained shall prevent the payment in good faith of reasonable remuneration to any officer or servant of THETA or to any member thereof in return for any services actually rendered to THETA. None of its office bearers or members have any rights in the property or other assets of THETA solely by virtue of their being members or office bearers.