

## 23 L.P.R.A. § 671e

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> PART II. Economic Development > Chapter 39. Tourism Company

### § 671e. Responsibilities

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The Company shall be responsible for:

- (1) Adopting, participating, organizing, and encouraging promotional programs and tourist attraction programs, such as the preparation and publication of books, magazines, pamphlets, maps and printed matter of all kinds and films, which may be distributed, circulated, and exhibited on the Island as well as in other countries.
- (2) Participating, organizing, coordinating, and encouraging promotion programs and tourist attractions whose themes and principal objectives are the native motives, the artistic and cultural production and the distinctive characteristics of our country, in order to make visitors take an interest in our history, culture, and personality of the people.
- (3) To inquire into the opinion that tourists have formed of the country after a visit or several visits; the most common problems that they meet; the criticism which they express; and the constructive measures which may be carried out in that respect.
- (4) To make scientific researches on the tourism potentiality and its demand, as well as on the facilities of the Puerto Rican industry to meet these demands for services.
- (5) Promoting the training of the personnel needed for tourist activities, as well as the opportunities and executive training of employees in the hotel industry. Coordinating with the Department of Education, the establishment of a hotel and tourism school at the vocational and/or specialized and technical level, in order to promote the training and retraining of the human resources of the tourism industry in Puerto Rico.
  - (a) Establishing an Advisory Board of a consultive nature that shall make recommendations to the Department of Education on the content of the curricula and programs according to the needs of the tourism industry. This Board shall be composed of nine (9) members: the Executive Director of the Tourism Company of Puerto Rico, who shall preside it; the Secretary of the Department of Education, who may delegate his/her representation on the Secretary of Vocational Instruction; the Chairman of the Hotels and Tourism Association of Puerto Rico; the Chairman of the Puerto Rico Travel Agents Association; the Dean of the Department of Hotel and Restaurant Administration of the University of Puerto Rico in Carolina, who may delegate his representation on the Director of the Program; the Administrator of the Future Workers and Entrepreneurs Training Administration; and the Secretary of the Department of Labor and Human Resources; a representative of the tourist guides and a representative of land tourist transportation, who shall be appointed by the Director of the Tourism Company of Puerto Rico.
  - (b) *Terms.*— The members of the public sector appointed by virtue of this chapter shall hold office for the term of their appointments as Secretaries or Directors of the aforementioned agencies. The members of the private sector shall hold office for the term of their appointments as chairpersons of the Association. Representatives of the tourist guide and land tourist transportation sectors shall hold office for two (2) years.
  - (c) *Organization of the Board.* — Within a period which shall not exceed thirty (30) days from the approval of this act, the Chairman of the Board shall convoke Board members to meet, organize and establish bylaws for its administration, pursuant to the Uniform Administrative Procedures Act, §§ 2101 et seq. of Title 3.
  - (d) *Meetings.*— The Board shall meet at least, but without limitation, four (4) times per year, in special meetings convened by the majority of the members, when necessary. All regular and special meetings shall be notified to all Board members and to any other person, as determined by the Board.

- (6) Issuing certificates accrediting that the hotels, condohoteles, resorts, paradores, rural tourism lodges, guesthouses, tourist villas and other tourist facilities and activities meet the requirements established through regulations by the Company for promotional purposes concerning such matters as the classification and the category of the quality of the services, the physical facilities, the hygienic and sanitary conditions and the safety and protection of the public that visits them. This authority must not be construed to be limitative of similar functions of any other government agencies or entities, since the categories and classifications fulfill a promotional purpose; however, the establishment of categories or classifications neither makes the Company responsible for the functions of all other government agencies or entities.
- (7) Studying, preparing, reviewing, and coordinating all legislation which affects or may affect, or which in any manner is related to the tourist industry, and to make the necessary and pertinent recommendations to that effect.
- (8) Studying, proposing and coordinating with the Planning Board, a regulating plan for tourism promotion and development in Puerto Rico. It is provided that the company shall establish, in coordination with the municipalities, municipal and regional tourism committees to integrate the community into the process of tourism planning and development. Said committees shall be governed by regulations to be issued for such purposes by the Tourism Company, and shall be composed of representatives of the hotel industry and paradores, restaurants and the commerce and banking sector, transportation, historians, architects, planners, environmentalists and artisans, among others, no later than sixty (60) days after the regulation takes effect. The participation of at least one representative of the residents is hereby guaranteed.
- (9) To advise the Minimum Wage Board in connection with determinations which said Board might make concerning the tourist industry.
- (10) Regulating, investigating, overseeing, intervening and imposing sanctions to those juridical persons or entities engaged in rendering tourist ground transportation services in the Commonwealth of Puerto Rico.
- (11) The development of a Nature Tourism Program, in coordination with the Executive Director of the Puerto Rico National Parks Company, which shall promote and sell this type of tourist attractions, without being limited to those within the Puerto Rico National Parks System; and shall conduct an inventory of said tourist attractions.
- (12) The promotion and advertising of ecotourist projects that have been duly certified by the Secretary of the Puerto Rico Department of Natural and Environmental Resources.
- (13) Regulating, investigating, intervening and sanctioning those persons or entities dedicated to the sale or offering for sale within Puerto Rico of travel [by] air, land or aquatic transportation tickets to persons for places in Puerto Rico, or abroad, or who make lodging, entertainment or land transportation reservations, or prepare and sell integral travel or tours within Puerto Rico, or abroad.
- (14) Approving regulations for regulating everything concerning tour guide certification in the Commonwealth of Puerto Rico.
- (15) Establishing, constituting, and organizing the Puerto Rico Sports Tourism Council, which shall have the duty to draft the public policy on sports as a segment for economic investment and the projection of the Island as a destination. It shall draft, in turn, the strategic plan for the practice of those sports tourism events with the potential of attracting economic benefits and promotion for the Island and promote the development of infrastructure and facilities suitable for holding different kinds of local and international sports events. Creating an inventory of existing sports infrastructure, to be made public and accessed over the agency's webpage (Internet), both in the Spanish and the English languages, not to be construed as an exclusion of any other language that allows for its massive dissemination, and promote the same for holding sports events from abroad; evaluating recommendations for investment by financially supporting different sports events.
  - (a) The Sports Tourism Council shall be composed of the following eight (8) members: the Executive Director of the Puerto Rico Tourism Company, who shall preside the same and render support services pertaining to the Office of the Secretary of the Council regarding minutes and agreement follow-ups; the Secretary of the

Department of Economic Development; the Secretary of the Sports and Recreation Department; the Chair of the Puerto Rico Olympic Committee; the Commissioner of Municipal Affairs; and the Executive Director of the Puerto Rico Convention Bureau; and two (2) members of the private sector who shall represent the public interest, one of whom shall have at least five (5) years of experience in the fields of advertising, public relations and marketing of events of broad international projection and the other one shall have five (5) years of experience in the administration of sports facilities suitable for holding world-class events. Provided, further, That the majority of the members comprising the Council shall constitute a quorum.

- (b) The members of the Sports Tourism Council shall hold their offices for the term of their appointments as secretaries or directors of the above said agencies and entities. Any person appointed to fill a vacancy shall discharge his/her functions for the remainder of the term of the member he/she is succeeding, and in the event the term to hold the office or position to which he/she was appointed has expired, he/she may continue discharging such functions until his/her successor is appointed and takes office. Any vacancies in the Sports Tourism Council in no way shall impair the rights of any other members to exercise their rights and carry out their duties and exercise their authorities.
- (c) The Sports Tourism Council shall hold at least one regular meeting on a quarterly basis. Special meetings may be called by the chair or the majority of the members of the Council. Prompt notice shall be delivered regarding all regular or special meetings to all members as well as to any other such, as the members may determine.
- (d) On or before March 31 of each year, the Sports Tourism Council shall render to the governor and the Legislative Assembly of the Commonwealth of Puerto Rico an annual report on the steps and actions taken to fully comply with the duties entrusted by this subsection. Said report shall comprise the calendar year immediately preceding the term for the filing thereof and include a detailed account of the measures implemented and the issues addressed to attain its objectives.

## History

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—June 18, 1970, No. 10, p. 413, § 6; July 25, 1997, No. 47, § 1; Aug. 17, 2002, No. 187, § 2; Aug. 29, 2002, No. 213, § 1; Nov. 16, 2002, No. 265, § 6; Dec. 19, 2002, No. 282, § 63; Jan. 4, 2003, No. 63, § 1; Aug. 28, 2003, No. 212, § 1; Sept. 15, 2004, No. 290, § 1; Sept 29, 2004, No. 526, § 1; May 6, 2008, No. 52, § 2; Aug. 15, 2008, No. 280, § 1; Dec. 16, 2009, No. 170, § 3; Nov. 7, 2010, No. 167, § 1.

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