

TOURISM ACT, 2035 (1978 A.D.)

Chapter-4 (Provisions Relating to Mountaineering)

16. Restriction of Climbing the Himalayan-Peaks without Obtaining Permission:

No any mountaineering expedition team shall be entitled to climb any Himalayan-Peaks without obtaining permission under this Act.

17. Permission to be taken for Mountaineering:

- (1) A mountaineering expedition team, desirous to climb any Himalayan-peak of Nepal opened by Government of Nepal for mountaineering shall have to submit an application to Government of Nepal as prescribed.
- (2) Government of Nepal may, if an application is received Pursuant to sub-section (1) and if it deems reasonable after making necessary examination there of, issue permit as prescribed.
- (3) The condition to be fulfilled by the mountaineering expedition team obtaining permit for mountaineering shall be as prescribed.

18. Royalty to be paid for Mountaineering:

- (1) The mountaineering expedition team, obtaining permit for mountaineering Pursuant to section 17, shall pay the prescribed royalty in the convertible foreign currencies for the specified altitude of Himalayan peak.
Provided that the royalty to be paid by a Nepalese mountaineering expedition team or by Nepalese side of a joint-mountaineering expedition team of Nepalese and foreigners may be paid in Nepalese currency.
- (2) The royalty being paid by a mountaineering expedition team shall not be transferred for another mountaineering expedition team.

19. Route for Mountaineering:

- (1) A mountaineering expedition team shall strictly use the route for mountaineering as prescribed in the permit issued by Government of Nepal.
- (2) A prior approval of Government of Nepal shall have to be obtained in case the route of mountaineering is needed to change on account of natural or any other reasons.
Provided that, if it is indispensable to change the route on account of unexpected reasons, the reason thereof shall have to be informed as soon as possible to Government of Nepal through the Liaison Officer.

20. Liaison Officer:

- (1) A Mountaineering expedition team, which has obtained a permit for mountaineering, shall have to include Liaison officer in such number of its team as Government of Nepal may depute.
- (2) A Mountaineering expedition team shall have to provide with the facilities as prescribed for the Liaison Officer deputed for accompanying what the expedition team Pursuant to sub-section (1) for the period commencing from the date of departure for mountaineering expedition to the date of arriving after completion of mountaineering at Kathmandu or any other place as specified by Government of Nepal.

(3) The functions, duties and powers of a Liaison Officer shall be as prescribed.

21. Provision relating to Sardar, Mountain Guide, Base-Camp Workers, etc.

- (1) A mountaineering expedition team, may, while departing for mountaineering, take Sardar, mountain-guides, base-camp-workers, altitude-workers and local-workers over to mountaineering expedition with it. The mountaineering team shall have to provide with the facilities as prescribed for such person accompanying with the expedition team for the period commencing from the date of departure for mountaineering expedition to the date of arriving after completion of mountaineering at Kathmandu or any other place as specified by Government of Nepal. Provided that the mountaineering expedition team shall take the workers in a number as prescribed with it.
- (2) Base-camp-workers, altitude-workers or local-workers may be taken over to the expedition on the way if so required after departing for the mountaineering.
- (3) Functions, duties and powers of the Sardars, mountain-guides, base-camp-workers, altitude-workers and local-workers shall be as prescribed.

22. Nepalese Citizen Ought to be:

The Sardars, mountain-guides, altitude-workers, base-camp-workers and local-workers should be the Nepalese citizens.

23. May be removed from work:

- (1) The leader of the mountaineering expedition team, may in consultation with the Liaison Officer remove any Sardar, mountain-guide, altitude-worker, base-camp-worker from work in case any of such person's work is not seemed satisfactory.
- (1A) If any person is removed from work before completion of the task of mountaineering Persuant to sub-section(1) and person shall have to give back the materials which he had obtained as facilities to the mountaineering expedition team except the materials such as clothes, shoes etc. which has already been used by putting on his body.
- (2) The mountaineering expedition team shall provide expenses required for returning from the place of removal of work to the place of employment to the person removed under sub-section (1).

24. Health checks to be done:

- (1) Before departing for mountaineering a mountaineering expedition team shall cause to check the health of members of its team, Liaison Officer, Sardar, Mountain-guide, Altitude-worker, Base-camp-worker and Local worker.
- (2) A person whose health condition is not seemed satisfactory while checking up health Persuant to sub-section (1) shall not be taken over to the mountaineering team.

25. Personal Accident insurance to be made:

- (1) A mountaineering expedition team shall cause the lives of Liaison Officers, Sardars, mountain-guides, base-camp-workers and altitude workers to be insured with a prescribed insurer for a prescribed sum of its own cost against the risk of personal accident before engaging them.
Provided that, the personal accident insurance of local-workers shall not be compulsory.
- (2) If a person, who is to be insured Persuant to sub-section(1) dies of or sustains injury in an accident whilst on his duty, before being insured, on account of engaging him

on the way or due to any other reason, the concerned mountaineering expedition team shall make a payment as compensation to his or his legal heir the amount of money equal to the amount to be insured as if he were insured.

- (3) If a Local-worker, whilst on his duty, dies of or sustains injury in an accident, the concerned mountaineering expedition team shall compensate to him or his legal heir Persuant to sub-section (2) in case such person was not being insured.

Explanation: for the purpose of this Chapter:

- (a) "Accident" shall include any disease or ailment causing on accident of snow or altitude.
- (b) "Whilst on his duty" shall include the period between the date and place of commitment to engage or employ and the date of return at the same place after completion of the task.

26. Agent to be appointed:

- (1) A mountaineering expedition team shall appoint his agent in order to perform incidental works at Kathmandu while it is in the course of mountaineering and inform to Government of Nepal accordingly.
- (2) While appointing an agent under sub-section (1) a foreign or joint mountaineering expedition team except the Nepalese mountaineering expedition team shall, appoint a Trekking Agency or any institution arranging mountaineering licensed under this Act.
- (3) Functions, rights and duties of the agent appointed under sub-section (1) shall be as prescribed.

27. Provision regarding with bringing of Equipments and Materials relating to Mountaineering only:

- (1) A mountaineering expedition team obtaining a permit Persuant of Section 17, shall bring the equipments and other materials concerned with its expedition in a required number of Nepal after obtaining prior approval of Government of Nepal.
- (2) If any Mountaineering expedition team brings any equipment or other materials by hiding or concealing, without giving information to Government of Nepal, Government of Nepal may seize such materials or equipments.

28. Reports concerning Mountaineering to be transmitted:

- (1) The leader of a mountaineering expedition team or a member of the team working on his behalf shall transmit periodic reports as prescribed on the period of mountaineering through the Liaison Officer or directly in case there is no any Liaison Officer.
- (2) The leader of a mountaineering expedition team, shall, after the completion of its mountaineering expedition, submit a report as prescribed to Government of Nepal within a prescribed time.

29. Emergency Rescue Operation :

- (1) If any person accompanying with the mountaineering expedition team such as Liaison Officer, sardar, mountain-guide, altitude-worker, base-camp-worker, local-worker or a mountaineer is to be rescued from emergency, rescue-work may be operated through the agent appointed Persuant to Section 26 or an institution, if any established for rescue-works.

- (2) All costs incurred on rescue-works Pursuant to sub-section (1) shall be borne by the concerned mountaineering expedition team.

29A To Inform:

- (1) The Liaison Officer deputed to accompany with the mountaineering expedition team or leader or any member of the said team shall, in case there occurs accident in course of mountaineering to any member, Liaison Officer, Mountain-guide, altitude-worker, base-camp-worker or local-worker, if the mountaineering expedition team or any of them is killed in an accident or by any other reason or is lost, submit a detail report thereof to Government of Nepal.
- (2) Government of Nepal may, on the basis of the report received Pursuant to sub-section (1), formally inform to the concern person or agency as to the death or disappearance of such person.

30. Environment to be kept unpolluted:

- (1) A mountaineering expedition team, shall while carrying on the mountaineering, comply with the prescribed conditions in order to not causing the environment to be polluted.
- (2) If any loss or damage to the life of any person or governmental or non-governmental property is caused by reason of non-complying with the conditions set forth Pursuant to sub-section (1), the concerned mountaineering expedition team shall pay the compensation as fixed by Government of Nepal and in case such team fails to pay them, the agency which has recommended such mountaineering expedition team shall have to pay such compensation.

31. Transmission of News as regards mountaineering:

A mountaineering expedition team shall whilst in course of mountaineering not transmit elsewhere any news as regards mountaineering without giving information to Government of Nepal.

32. Liability and Responsibility of the Leader of the Mountaineering Expedition Team:

- (1) Main responsibility to cause to be completed with the provisions of this Act, rules framed hereunder and the conditions as prescribed in the permit shall be lied in the leader of the mountaineering expedition team.
- (2) Other functions and duties of the leader of a mountaineering expedition team, except as mentioned in sub-section (1), shall be as prescribed.

33. Permission might be revoked or imposed restriction thereon:

- (1) Government of Nepal may, if the leader or any member of a mountaineering expedition team violates this Act, rules framed hereunder or any matter contained in conditions of the permits for mountaineering, revoke at any time the permits issued under this Act.
- (2) If any special situation arises in order to revoke the permission for mountaineering issued under this Act, Government of Nepal may at any time revoke such permission with or without showing reasons thereof.

34. Abandonment of Mountaineering :

Any mountaineering expedition team may at any time abandon its mountaineering expedition.

35. Royalty not to be refunded:

If the permission is revoked Pursuant to sub-section (1) of Section 33 or the expeditions abandoned Pursuant of section 34, the royalty once paid by such mountaineering expedition team shall not be refunded.

36. Exemption may be provided for the Mountaineering Expedition Team:

Notwithstanding anything contained in other provision of this Act, Government of Nepal may provide any exemption or facility as prescribed for Nepalese and prescribed mountaineering expedition team or foreign team or mountaineering expedition which included Nepalese citizen in its team.

37. Membership of Mountaineering Association to be obtained:

- (1) Any Sardar, mountain-guide, altitude-worker or base camp-worker, who does not have obtained membership of Mountaineering Association, shall not be entitled to go accompanying with a mountaineering expedition team and the institution which makes arrangement for mountaineering also shall not be entitled to make any arrangement without being affiliated with the Mountaineering Association.
- (2) Government of Nepal may delegate power to the Mountaineering Association for issuing permit of mountaineering expedition on prescribed Himalayan-peaks.
- (3) The Mountaineering Association shall, if issues permit in exercising the power delegated under sub-section (2), sent forth the details of such permission to Government of Nepal within fifteen days from the date of issuance of such permit.
- (4) Government of Nepal if deems necessary, may give necessary orders or directives to the Mountaineering Association and it shall be the duty of such Association to abide by such orders or directives.

38. Penalty:

- (1) Government of Nepal may ban any mountaineering expedition team or its member from entering onto Nepal for a period up to five years or mountaineering in Nepal for period up to ten years if such team or its member, commits the following acts:
 - (a) To scale any Himalayan-peak or attempt to do so without obtaining permission.
 - (b) To scale any Himalayan-peak which is not opened for mountaineering, attempt to do so.
 - (c) To commit any immoral conduct or behaviour whilst on mountaineering period.
 - (d) On failure to submit the prescribed matter within the prescribed period which ought to be submitted to Government of Nepal after completion of mountaineering expedition.
 - (e) On failure to comply with the conditions prescribed for not causing the environment polluted.
 - (f) Upon violation of the provisions of this Act or rules framed hereunder of conditions specified in the permit.
- (2) If any mountaineering expedition team or its members scales any Himalayan-peak without obtaining permission, Government of Nepal may not proceed pursuant to

sub-section (1) and impose a fine equal to the amount to twice of royalty and other charges to be paid for obtained permission of mountaineering of such peak under this Act.

- (3) If any mountaineering expedition team or its member scale any Himalayan-peak not opened for mountaineering, Government of Nepal may, if it deems proper not to proceed under sub-section (1) and impose a fine equal to the amount of three times or the royalty to be paid for scaling the highest Himalayan peak opened for mountaineering.
- (4) If any agency making arrangements for mountaineering violates any provisions regarding mountaineering of this Act or rules framed hereunder or instigates other to violate, Government of Nepal may punish either banning such agency from making any types or arrangement for mountaineering for a period from one year to five years imposing a fine which may extend from five thousand rupees to twenty-five thousand rupees or with both.
- (5) If any mountaineering expedition team does not comply with the prescribed conditions set forth for not causing the environment to be polluted, Government of Nepal may if it deems proper not to proceed under sub-section (1), impose a fine of up to twenty-five thousand rupees.
- (6) If any mountaineering association does not abide by the orders or directives issued by Government of Nepal pursuant to sub-section (4) or Section 37, Government of Nepal may withdraw the power delegated pursuant to sub-section (2) of section 37 or invoke the recognition provided to it for mountaineering purpose.
- (7) If any person instigates any mountaineering expedition team or any of its member to violate this Act or rules framed hereunder or order or directives of Government of Nepal, the prescribed authority may punish such person with fine which may extend from five hundred rupees to five thousand rupees.
- (8) A person, who is aggrieved by the order given by the prescribed authority pursuant to sub-section (7) may file a complaint before Government of Nepal within thirty-five days and a decision made by Government of Nepal to the effect shall be final.

Mountaineering Expedition Regulation, 2059 (2002 A.D.)

Government of Nepal has made the following rules by exercising the power of Section 56 of the Tourism Act, 2035 B.S. (1978 A.D.)

1. Short title and commencement:

- (1) These rules may be called the "Mountaineering Expedition Regulation, 2059 B.S. (2002 A.D.)"
- (2) This Regulation shall come into force at once.

2. Definition:

In this Regulation, unless the subject or context otherwise requires,

- (a) "Act" means the Tourism Act, 2035 B.S.(1978 A.D.)
- (b) "Permit" means the mountaineering expedition permit to be given to the mountaineering expedition team for the climbing of the mountain as per this Regulation.
- (c) "Ministry" means the Ministry of Culture, Tourism and Civil Aviation.

3. Permit to be taken for the Mountaineering Expedition:

- (1) The mountaineering expedition team desire to take permit for the mountaineering expedition, shall submit an application to the Ministry in the format as prescribed in Schedule-1.
- (2) Upon receiving an application under sub rule (1), the Ministry may provide permit to the applicant after making necessary inquiry and, if it seems appropriate to provide permit, in the format as prescribed in Schedule - 2 after taking the royalty persuant to Rule 4.
Provided that the permit shall not be provided to that person who is under the age of 16.
- (3) Notwithstanding anything contained in sub rule (2), the preliminary mountaineering expedition permit may be provided to the applicant in the format as prescribed in schedule-3, if any mountaineering expedition team shall pay the five percent royalty amount for the Mount Everest and ten percent royalty amount for other mountains and if it is make appropriate to provide permit.
- (4) The Ministry shall provide permit as per sub rule (2) to the mountaineering expedition team having the preliminary mountaineering expedition permit persuant to sub rule (3) after paying the rest of royalty amount persuant to Rule 4.
Provided that the Ministry shall provide permit to the applicant if the mountaineering expedition team having the preliminary mountaineering expedition permit except to those mountains having the height of less than 7000 meter and the mountain persuant to clause (a) and (b) of sub rule (1) of Rule 32, desiring for any alteration or change in it's mountaineering expedition team, after ten days of application.
- (5) The mountaineering expedition team, having the permit persuant to sub rule (2) and (4) shall take briefing of the Ministry relating to the mountaineering expedition, before departure for the mountaineering expedition.

4. Period and Royalty for the Mountaineering Expedition:

- (1) The royalty for the mountaineering expedition team for mountaineering expedition shall be as prescribed in schedule-4.
- (2) The mountaineering expedition team having the preliminary mountaineering expedition permit shall have to pay the rest of the royalty within one year of such permit.
- (3) The preliminary mountaineering expedition permit of any mountaineering expedition team shall be cancelled if the rest of the royalty shall not be paid within the time frame persuant to sub rule (2).

5. Delaying of Mountaineering Expedition Program and Change of Mountain:

- (1) The mountaineering expedition team shall submit an application to the Ministry, before the commencement of the mountaineering expedition program including the time frame and program of the mountaineering expedition or ascertaining the mountain in a case it wants to change the mountain if any mountaineering expedition team wants to postpone the mountaineering expedition program or wants to change the mountain as prescribed in the permit.
- (2) The Ministry may provide permit for delaying the program up to two years to that mountaineering expedition team who desires to delay the mountaineering expedition program persuant to sub rule (1).
- (3) The Ministry shall provide permit to change the mountain after receiving the extra royalty from the mountaineering expedition team for the change of mountain if the royalty so needed to such mountain persuant to sub rule (1)

Provided that the royalty amount paid to earlier is higher than the changed mountain such different amount shall not be returned.

6. Terms and conditions to be fulfilled by a Mountaineering expedition team:

The mountaineering expedition team which has obtained a mountaineering expedition permit shall comply with the following terms and conditions:

- (a) The team shall confine its activities only in the mountain for which a permit has been obtained.
- (b) The team shall not indulge in any activity that may be a contrary to the customs and religious, social or cultural traditions of the local people of that area.
- (c) The team shall set up the various camps in its route to the base camp as far as possible at such place that may be acceptable to the local people or as prescribed by Government of Nepal.
- (d) The team shall not carry any arms, ammunition and explosives etc. other than those permitted by Government of Nepal.
- (e) The team shall not indulge itself in any activity which is or may be likely to affect adversely to the security and reputation of Nepal.
- (f) The team shall not use any means of communication other than those approved for the purpose.
- (g) The team shall not damage or destroy any tree, shrub, other forest, heritage or environment existing in the adjoining area or on the route of its mountaineering expedition.

- (h) The team shall submit all the rare and historical objects, which may be found by it during the continuation of mountaineering expedition to the Liaison officer.
 - (i) The team shall work for non-polluting as prescribed by Government of Nepal.
 - (j) The team shall inform daily about the condition and program of mountaineering expedition to the Liaison officer.
 - (k) The Mountaineering expedition team having a permit for the mountaineering expedition of mountain adjoining the international border of Nepal with other foreign state shall not violate the international border.
7. **Approval to import the means of Communication:**
Government of Nepal may provide approval, to import two satellite telephone, twelve walkie-talkies, two wireless having the capacity to communicate between the base camp and Kathmandu and wireless having the capacity to communicate between the base camp and nearest police station or the place having the telecom facility for temporary use, in a condition to bring back to home country after the program, to the mountaineering expedition team having the permit.
8. **Deploying Liaison Officer:**
- 1) Government of Nepal while deploying Liaison Officer as pursuant to section 20 of the Act shall deploy the following officers.
 - (a) Non-gazetted first class or above class officer of civil service.
 - (b) Nepal Army, Nepal Police, Armed Police officer corresponding to the level of civil service gazetted third class officer.
 - (c) From among the Nepalese mountaineers who have successfully climbed Mt.Everest and recommended by the mountaineering association designated by the Ministry.
 - 2) The following conditions should be fulfilled while deploying liaison officer as pursuant to sub rule (1).
 - (a) Having an approved basic mountaineering training.
 - (b) Having at least bachelor's degree. But, in case of mountaineer related to sub rule (1) (c) having passed at least matriculation (School Leaving Certificate) exam.
 - (c) Certified by government recognized physician having physically able to go up to the base camp of the related mountain.
 - (d) Having received from recognized institution a certificate of English or other languages to be able to communicate with the mountaineering expedition team.

9. **Functions, Duties and Rights of Liaison Officer :**

The functions, duties and rights of Liaison Officer shall be as follows :

- (a) To try to solve problem which may be caused to the mountaineering expedition team.
- (b) To inspect or monitor the weight of load which may be carried out by the worker involved with the mountaineering expedition team.
- (c) To stay in the base camp during the mountaineering expedition program.
- (d) To communicate the progress of mountaineering expedition and to inform the message of accident if any happened by the fastest means to the Ministry.
- (e) To make efforts not to happen any conflict or dispute keeping in discipline to the headman, mountain guide and worker.

- (f) To try to settle down the conflict or any other undesirable incident between any member of the mountaineering expedition team and local people or headman, guide or worker as well as to initiate for necessary action with the help of nearest Police post, District Administration Office or Local Bodies if it is not possible to settle down the case by him/herself.
- (g) To carry out or initiate to carry the necessary work relating to environmental cleanliness and garbage management.
- (h) To prohibit the team or its members from indulging in any unauthorized mountaineering expedition and to notify such incident to the Ministry immediately.
- (i) To send its report to the Ministry as soon as possible in the event of loss of walkie-talkies, wireless sets, and other equipment used by the mountaineering expedition team or in the event of death or disabilities cause to a member of the mountaineering expedition team, headman, guide, or worker due to an accident or in the event of commission or likely to commission any serious crime.
- (j) To conduct as an interpreter for the member of the mountaineering expedition team and other person with them.
- (k) To advise the leader of the mountaineering expedition team about the selection of place for mountaineering camp.
- (l) To send the list of the worker and other person involved in the mountaineering expedition team after certifying by the leader.
- (m) To receive the rare and historical objects which may be found by the mountaineering expedition team and handover safely in the place as prescribed by Government of Nepal.
- (n) To function as per the instruction of the Ministry.

9. Facility to be provided to the Liaison Officer:

The facility to be given to the Liaison Officer by the mountaineering expedition team shall be as prescribed in Schedule-5.

10. Facility may be returned:

The Ministry may cancel travel order and may cause to return the facilities received as per this Regulation by the Liaison officer, if he/she do not accompany with the mountaineering expedition team.

11. Not make discourage:

The mountaineering expedition team and institution arranging of mountaineering expedition shall not discourage to Liaison officer to go with the mountaineering expedition team.

12. Functions and Duties of a Headman:

The functions and duties of a headman shall be as follows :

- (a) To work coordinating with the liaison officer,
- (b) To work in the collective interest of mountain guide, high altitude worker, base camp worker and local worker,
- (c) To protect from any damage or loss of commodity of the mountaineering expedition team by the negligence of the worker,

- (d) To render necessary advice to the members of the mountaineering expedition team to climb in a safe and easy manner,
- (e) To manage to supply the food and equipment to the camp in appropriate time,
- (f) To help to rescue the liaison officer, any member of the mountaineering expedition team, mountain guide or high altitude worker, base camp worker or local worker if they have to face any problem,
- (g) To carry or cause to carry out the necessary work relating to environment cleanliness or garbage management as prescribed by this Regulation and as determined by the Ministry,
- (h) To function as instructed by the Ministry or Liaison Officer.

14. Qualification and Standard of the Headman may specify:

Government of Nepal may specify the qualification and standard of the headman by a notification published in the Nepal Gazette.

15. Functions and Duties of a Mountain Guide:

The functions and duties of a mountain guide shall be as follows :

- (a) To work coordinating with the headman,
- (b) To make necessary arrangement not to happen against any damage or loss of the equipment of the team due to the negligence of the workers,
- (c) To guide the mountaineering expedition team to climb only through the approved route,
- (d) To establish contact with the Liaison officer and to work in accordance with his/her order in a case if it is necessary to change the routes of the mountaineering expedition due to any reason above the base camp,
- (e) To render necessary advice to the headman, or any member of the team in relation to safe and easy climbing,
- (f) To help rescue the Liaison officer, any member of the mountaineering expedition team, headman, high altitude worker, base camp worker or local worker if they have to face any problem,
- (g) To bring back the garbage that came out above the base camp while using any commodity to the base camp compulsorily,
- (h) To function as instructed by the Ministry, Liaison officer and headman.

16. Facilities to be provided to Headman, Mountain Guide, High Altitude Worker, Base Camp Worker and Local Worker:

The facilities to be given by the mountaineering expedition team to headman, mountain guide, high altitude worker, base camp worker and local worker shall be as prescribed in Schedule - 6.

17. Submission of Will:

Liaison Officer, headman, mountain guide, high altitude worker and base camp worker shall have to prepare three copies of the will in the format as prescribed in schedule - 7 prior to their departure for mountaineering expedition and shall submit, one copy each to the agency or office of their employment, Mountaineering Association and Ministry.

18 To have a Contract:

The mountaineering expedition team or the institution arranging for the mountaineering expedition shall enter into a contract with headman, mountain guide, high altitude worker and base camp worker before engaging them in the work persuant to Schedule - 8.

19 Provision relating to personal accident insurance and compensation:

- (1) The mountaineering expedition team shall insure, from the insurance company as recognized by Government of Nepal, of the Liaison officer, headman, mountain guide, high altitude worker and base camp worker of their personal accident not less than following amount so as to cover the duration from the date of departure for mountaineering expedition until the date of return after completion of the mountaineering expedition :
 - (a) For Liaison Officer - Six hundred thousand rupees.
 - (b) For headman and mountain guide - Five hundred thousand rupees.
 - (c) For the high altitude worker - Four hundred thousand rupees.
 - (d) For the base camp worker - Three hundred and fifty thousand rupees.
- (2) The mountaineering expedition team shall insure the local worker not less than two hundred fifty thousand rupees persuant to sub rule (1).
- (3) The responsibility to make available the insurance or compensation amount persuant to sub rule (1) and (2) and sub section (2) and (3) of section 25 of the Act to the concerned person or his/her successor shall lie on the concerned mountaineering expedition team or on such institution arranging the mountaineering expedition.
- (4) The mountaineering expedition team or insurance company shall deposit the insurance or compensation amount at the Ministry if the person found minor to receive the amount persuant to sub rule (1) and (2) and sub section (2) and (3) of Section 25 of the Act and the Ministry shall make appropriate management of his/her care until he /she become adult.
- (5) The mountaineering expedition team shall make medical insurance in amount of not less than fifty thousand rupees from the insurance company recognized by Government of Nepal, of the Liaison officer, headman, mountain guide, high altitude worker, base camp worker and local worker for their minor injuries in an accident.

20. Insurance shall be made for Emergency Rescue:

The mountaineering expedition team shall make insurance for the purpose of Section 29 of the Act, from an insurance company recognized by Government of Nepal of the amount as prescribed by the Ministry.

21. Opportunity to be provided for Climbing:

The mountaineering expedition team shall provide an opportunity to reach the concerned mountain peak to the headman, mountain guide, and high altitude worker if they are accompanied with the mountaineering expedition team up to the last camp.

22. Weight of the Load:

- (1) The mountaineering expedition team shall not allow any local worker to carry a load of more than thirty kg.
- (1) The mountaineering expedition team shall not allow to carry a load to a worker climbing high altitude not exceeding the following weight in the following altitude:-

- (a) For the altitude from 5000 to 6000 meters twenty kg.
 - (b) For the altitude from 6001 to 7000 meters-seventeen kg.
 - (c) For the altitude from 7001 to 8000 meters - fourteen kg.
 - (d) For the altitude of more than 8000 meters -twelve kg.
- (2) Notwithstanding anything contained in sub rule (1) and (2), it may be allowed to carry up-to extra five kg. weight upon mutual consent among Liaison Officer, leader of the mountaineering expedition team and the worker in a special situation.

23. **Liabilities and Responsibilities of the Leader of the Mountaineering Expedition Team:**

The liabilities and responsibilities of the leader of the mountaineering expedition team shall be as follows:

- (a) To make arrangement of good fooding and lodging for the Liaison officer, headman, mountain guide, high altitude worker, base camp worker and local worker.
- (b) To make payment of any dues or compensation to be paid under this Regulation.
- (c) To manage garbage produced in the caravan route, base camp and above the base camp as per this Regulation.
- (d) To carry or carried out the instruction of the Ministry and Liaison officer and the terms as specified by this Regulation.

24. **Broadcasting of News Relating to Mountaineering Expedition:**

The mountaineering expedition team shall provide all the news relating to mountaineering expedition through the Liaison officer to Government of Nepal.

25. **Restriction on Sale of the Commodity:**

The mountaineering expedition team shall neither sell nor transfer the ownership of the commodity without the approval of Government of Nepal which was imported under this Regulation or any prevailing law upon getting exemption on custom duties.

26. **Amount shall be deposited:**

- (1) The mountaineering expedition team shall deposit the amount persuant to Schedule-9 to the Ministry for the garbage management before the briefing related to mountaineering expedition persuant to sub rule (5) of Rule 3.
- (2) The amount as deposited persuant to sub rule (1) shall be returned only after the submission of evidence of garbage management as per this Regulation.

27. **Classification and Management of Garbage:**

- (1) The garbage shall be classified for the purpose of garbage management used by the mountaineering expedition team as follows :
 - (a) Garbage which can be destroyed
 - (b) Garbage which can be recycled
 - (c) Garbage which is to be reimported
- (2) The materials to be considered the garbage persuant to sub rule (1) shall be as prescribed in Schedule-10.
- (3) The mountaineering expedition team shall destroy or dig and cover the garbage persuant to clause (a) of sub rule (1) in this way that it would not adversely affect the public place in front of the institution or body if such institution or body has

been prescribed by Government of Nepal to manage the garbage in the particular area or if such institution or body has not been prescribed the same shall be done in front of the Liaison officer or representative of the concerned local body and if such Liaison officer or representative of the local body is not available it shall be done in front of the headman.

- (4) The mountaineering expedition team shall bring the garbage persuant to clause (b) of sub rule (1) in Kathmandu and shall hand over to in the institution or body as prescribed by Government of Nepal.
 - (5) The mountaineering expedition team shall bring back the garbage persuant to clause (c) of sub rule (1) to own country.
- 27 (Ka) To Manage dead body of liaison officer, member of expedition team, or other persons**
- (1) If any of liaison officers, member of expedition team, sirdar, mountain guide, high altitude worker, base camp worker or local worker is died, the leader of expedition team will have to manage that dead body by taking it to the lower parts than the base camp, except glacier.
 - (2) If any expedition team leader is died, the dead body has to be managed by the member of that expedition team, and if the team consists of a single member or if all the members of the team are dead, the handling agency has to manage dead bodiesby taking it to the lower parts than the base camp, except glacier.
 - (3) If the dead body of a member of mountaineering team, worker or other person related to mountaineer could not be found due to fall into crevas or under avalanche or any other reason,a report mentioning the same reason has to be submitted to the Ministry by the handling agency, expedition team, liaison officer and persons involved in search and rescue.
 - (4) After having the report according to sub rule(3) been received, the Ministry will give order to the handling agency to manage the dead body while it is recovered by taking it to the lower parts than the base camp, except glacier and take the likewise bond from the chief of handling agency.
 - (5) It is the duty of the expedition handling agency to obey the order given by the Ministry or abide by the conditions mentioned in the bond.
 - (6) If the report submitted in the Ministry persuant to sub rule(3) is found fake, Ministry should forward writings to the related institutions for disciplinary actions according to the prevailing legal provisions related to the service and conditions in case of government officials and according to the prevailing laws in case of other persons.
- But, in case of the officials under the Ministry, Ministry itself shall take action.
- (7) The Ministry can make necessary arrangements in case of the dead bodies of the expedition team or other persons lying on the mountains prior to this regulation coming into force.

28. To be returned in the Base Camp:

- (1) The mountaineering expedition team shall return in the base camp within the following time frame from the date of departure from Kathmandu for mountaineering expedition:
 - (a) Seventy five days for the mountain having more than 8,000 meter height,

- (b) Sixty days for the 7000 to 8000 meter high mountain,
(c) Forty-five days for less than 7000 meter high mountain.
- (2) Notwithstanding anything contained in sub rule (1) not more than fifteen days may be added on the request of the concerned mountaineering expedition team other than the Khumbu, Annapurna and Manaslu Himalayan range mountains.
29. **Instruction may be given:**
The Liaison officer may give necessary instruction to the member of the mountaineering expedition team, headman, worker concerned with mountaineering expedition program under the Act, this Regulation, other prevailing laws and instruction of the Ministry and it shall be the duty of the member of the mountaineering expedition team, headman and worker of the mountaineering expedition abide with such instruction.
30. **Report shall be submitted:**
Liaison Officer shall submit the report relating to mountaineering expedition in the Ministry within the fifteen days of the expiry of the mountaineering expedition program in the format as prescribed in Schedule –11.
31. **Report, Book, Picture etc. relating to Mountaineering Expedition shall be submitted:**
- (1) The leader of the mountaineering expedition team shall submit the report relating to mountaineering expedition in the format as prescribed in schedule - 12 in the Ministry in the time of debriefing in person before departure from Nepal.
 - (2) The leader of mountaineering expedition team shall submit a detailed photographic report with a map of the route of the mountaineering expedition either in English or in Nepalese language to the Ministry within five months of the completion of the mountaineering expedition.
 - (3) The mountaineering expedition team while presenting the report with photographs under sub rule (2) shall enclose at least a copy of photograph of each of the concerned mountain peak taken from the climbing route, photographs taken from base camp and other camps and if the team member has taken photograph from the peak such photograph to the Ministry.
 - (4) If any mountaineering expedition team publishes a book or booklet relating to such mountaineering expedition after completion of the mountaineering expedition, the team shall send two copies of such book or booklets to the Ministry.
 - (5) If any mountaineering expedition team makes documentary film relating to its mountaineering expedition, the team shall submit one copy of such film to the Ministry.
32. **Royalty may be exempted:**
Whatever mentioned in this regulation, Government of Nepal by publishing a notice in the Nepal Gazette may exempt full or partial royalty to be paid under this Rule by the Nepalese expedition team, members of the Nepalese expedition team joining the foreign expedition team or any mountaineer for the following mountains.
- a) Mountains in low pressure having less than 3 teams in one fiscal year.
 - b) Mountains lying in the mid- western and far -western development region.
 - c) Mountain which is technically easy and can be climbed in a short span of time.
 - d) Mountains specified by the government of Nepal.

- e) Any of the mountains climbed during the period from Jesth 15 to Bhadra 15 and Paush 1 to Falgun 15.
33. **Certificate to be provided:**
The Ministry shall provide a certificate of mountaineering expedition to the mountaineering expedition team and the member of such team for successful mountaineering expedition in the format as prescribed in schedule-13.
34. **Officer entitled to punish:**
The Secretary of the Ministry shall be officer entitled to punish for the purpose of sub section (7) of Section 38 of the Act.
35. **Printing and using in English language:**
The form and certificate under this Regulation may be printed or used in English language as per necessity.
36. **Alteration or change in the Schedule:**
Government of Nepal may make alteration or change in the Schedule of this Regulation as per necessity by a notification published in the Nepal Gazette.
37. **Repeal and saving:**
 - (1) The Mountaineering Expedition Regulation, 2036 B.S. (1979 A.D) has been repealed.
 - (2) The function and procedure conducted or followed under The Mountaineering Expedition Regulation, 2037 B.S. (1979A.D) shall be considered as per this Regulation.

New Royalty
(Effective from 01 Jan 2015)

1. Royalty for Foreign Climber per Person in American Dollar

Table No. 8				
S.N	Mountain	Spring Season	Autumn Season	Winter/Summer
1.	Everest Normal Route	11000	5500	2750
2.	Everest Other Route	10000	5000	2500
3.	Others Mountain more than 8000 m.	1800	900	450
4.	7501m.-7999m.	600	300	150
5.	7000m. – 7500m.	500	250	125
6.	6501m - 6999m.	400	200	100
7.	Mt. Amadablam (6812M)	400	400	200
8.	Less than 6500	250	125	70

2. Royalty for Nepalese Climber per Person in Rupees

Table No. 8				
S.N.	Mountain	Spring Season	Autumn Season	Winter/ Summer
1.	Everest Normal Route	75000	37500	18250
2.	Everest Other Route	60000	30000	15000
3.	Others Mountain more than 8000 m.	10000	5000	2500
4.	7501m.-7999m.	8000	4000	2000
5.	7000m. – 7500m.	6000	3000	1500
6.	6501m - 6999m.	5000	2500	1250
7.	Mt. Amadablam (6812M)	8000	8000	4000
8.	Less than 6500	4000	2000	1000

3. The Mountaineering Royalty has been totally waived to those mountains situated on mid western and Far western development region of Nepal for 2070/04/01-2075/03/32 (16 July 2013 to 15 July 2018)
- Royalty of foreign climbers will effect from 01Jan. , 2015
 - Royalty for Nepali climbers will effect 2070.11.1

Notice - 3

According to the decision (dated 2065/02/22B.S.) made by the Government of Nepal (Secretary Level) the definition of the season is hereby clarified;

- Spring (March, April, May)
- Summer (June, July, August)
- Autumn (September, October, November)
- Winter (December, January, February)

Schedule - 9
(Relating to sub rule (1) of Rule 26)

Amount to be deposited for Garbage Management

The Mountaineering expedition team shall deposit the following amount as for the garbage management :

- (a) For the following mountains of the Khumbu and Annapurna Himalayan range -

For the Mount Everest	Four thousand U.S. Dollar or equivalent to that in Nepalese rupees.
For the other mountain having the height of above 8001 meter except Mount Everest	Three thousand U.S. Dollar or equivalent to that in Nepalese rupees
For the mountain having the height of 7001 to 8000 meter and Amadablam mountain	Two thousand U.S. Dollar or equivalent to that in Nepalese rupees
For the mountain having the height of 6501 to 7000 meter	One thousand U.S. Dollar or equivalent to that in Nepalese rupees
For the mountain having the height of less than 6500 meter	Five hundred U.S. Dollar or equivalent to that in Nepalese rupees

- (b) For the following mountains of the other Himalayan range other than expressed in clause (a).

For the other mountain having the height of more than 8000 meter	Three thousand U.S. Dollars or equivalent to that in Nepalese rupees
For the mountain having the height of less than 8000 meter	Five hundred U.S. Dollars or equivalent to that in Nepalese rupees.

Schedule – 10
(Relating to sub rule (2) of Rule 27)

The materials to be considered as garbage

The following materials shall come under the following garbage:

- (a) Garbage which can be destroyed: toilet paper, paper, cardboard, things made from bamboo, jute and cotton bag, decomposed food.
- (b) Garbage which can be recycled: tin, bottle, jar, plastic can, plastic sheet, reusable gas cylinder, plastic bag or gas container.
- (c) Garbage which has to be re-imported: used oxygen bottle, used battery, equipment to be used for climbing or personal goods etc.

Do's and Don'ts

NEPAL

The Nepalese people are friendly and hospitable by nature and the tourist in general will have no difficulty in adjustment. All the same, one may be confused regarding some customs, traditions and manners as in coming into any unfamiliar society. Nepal like any other country has its own ways of regulating life though it might be different in degrees to each individual visitor. We want you to observe and see the way the Nepalese people live and share that with them. It is in this spirit we offer you some practical guidelines that could help make your stay here delightful, homely and rewarding.

The Religious way of life

Religion is an integral and deep-rooted part of Nepali life. Temples, images, sacred paintings are to be seen every where. Nepal has been declared a religion secular state, though Hinduism is followed by nearly 80% of the population. Nevertheless, Buddhism has also important place in this country. Hinduism and Buddhism are so closely connected in Nepal that it would take a life time's study to understand the complexities of country's religious life. All deities are worshipped by Hindus and Buddhists alike, and feasts and festivals are shared. For centuries both have cherished mutual regard and respect for one another's tradition. The following are some hints regarding religious matters.

Visitors to a Hindu temple or a Buddhist shrine are expected to be unshoed as a mark of respect. In fact, a pair of open sandals is more convenient and comfortable while visiting the temples and stupas.

- It is better not to touch offerings or persons when they are on way to shrines.
- Beef is prohibited among both the Hindus and Buddhists. No female animal is killed for food.
- You may not be allowed entry to the inner sanctuaries of temples and stupas.
- You may be interested to take snaps of temples, stupas and monuments. Generally temples, stupas and monuments are permitted to be photographed, but it is better to have permission before using your cameras.

Social Outlooks:

Since the majority of our people live in rural areas, they have an outlook of life that is simple and traditional. In fact, they take special delight in the company of foreign visitors. But there are certain things that are alien or embarrassing to our people. Here then are a few things to keep in mind.

It is best be decently clad when visiting any place. Sun and beach wear is not the ideal, when roaming around the city or village. Briefs, shorts, bare shoulder and backs may not be appreciated. You need not to be stiff and overdressed, but just comfortably and decently covered.

Do not take seriously if a Nepali lady hesitates to shake hands with you. In Nepal, people and specially the ladies, do not normally shake hands when they greet one another, but instead press the palms together in a prayer-like gesture known as "Namaste"

Public displays of affection between man and woman are frowned upon. Do not do something that is totally alien to our environment.

We are hard on drugs abuse, trafficking in, and possessions of drugs are taken as serious offences.

Beggars:

Cheap charity breeds beggars but does not solve their basic problem. Therefore do not encourage beggary by being benevolent.

Currency:

Non-Indian visitors are not allowed to import or export Indian currency. Foreign currency is to be exchanged with authorized foreign exchange dealers or at official bank exchange counters only.

Some other Important Hints:

- Beware of touts who claim to be representatives of companies and offer to take you bargain hunting.
- Use hotel safety boxes for your valuables. Do not leave cash and other valuable things lying around in the room.
- Table manners in Nepal are quite different from those at home. In typical and traditional Nepali house, plates, knives, forks and spoons may be absent from the dinner table. While eating Nepalese people use their right hand, but this does not mean, however that the guests are not to use forks, knives and spoons.
- Any food or utensil touched by the used knife or spoon or fingers, or by lips or into which spittle has fallen is considered "Jutho" which means contaminated. It would humiliate a person if such food were offered to him. Nor should the dish containing such food be used again without its being properly washed.
- If you want to give a present to your host or hostess, please do not be surprised if they lay it said unopened. In Nepal, to open a parcel in the presence of the guests is not supposed to be a good manner.

Some Definitions:

1. "**Foreigner**" means any person who is not a citizen of Nepal.
2. "**Visa**" means a permit issued by Government of Nepal to a foreign national for entering into or staying in the of Nepal.
3. "**Trekking**" means a journey to be undertaken on foot for sight seeing in areas where normally modern transport system is not available.
4. "**Trekking Agency**" means any person, firm or company of whatsoever name which may provide the lodging and travel, cultural sight seeing for a fee by arranging trekking generally in places, which have no modern transport facilities.
5. "**Mountaineering Expedition**" means an act of expedition on any peak of the mountain range of Nepal by any team with the intention of reaching to the summit.
6. "**Base Camp**" means the camp established in the lowest altitude to store the equipments, provisions, medicine etc. to supply to the advance camp according to the need for the use in the relevant mountaineering expedition or for issuing direction for mountaineering expedition.
7. "**Liaison Officer**" means the officer deputed by Government of Nepal under Section 20 of Tourism Act 1978 to accompany the mountaineering expedition team.
8. "**Sardar**" means the headman who arranges the local porters, and who supervises the mountain guides, high altitude porters, or the workers of the Base Camp.
9. "**Mountain Guide**" means a person who helps the mountaineers in his expedition beyond the Base Camp.
10. "**High Altitude Porter**" means the porter who carries essential materials to and from beyond the Base Camp.
11. "**Local Porter**" means the porter who carries the materials of the mountaineering expedition team to and from up to the Base Camp.
12. "**Base Camp Worker**" means person who cooks food for the mountaineering expedition team, mail carrier and person doing this sort of work in the Base Camp.
13. "**Mountaineering Association**" means the Mountaineering Association which is registered according to law and recognised by Government of Nepal under section 37 of Tourism Act 1978 for the purpose of mountaineering expedition.
14. "**Leader**" means the main person among the members for the Expedition Team, the person who will be handling the team through the summit.
15. Please read Ministry of Culture, Tourism & Civil Aviation instead of Ministry of Tourism.