



NORFOLK ISLAND

## TOURIST ACCOMMODATION AMENDMENT ACT 1987

### Act No 8 of 1987

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An Act to amend the Tourist Accommodation Act 1984

[Assented to 8 May 1987]

**BE IT ENACTED** by the Legislative Assembly of Norfolk Island as follows -

#### Short title

1. This Act may be cited as the Tourist Accommodation Amendment Act 1987.

#### Commencement

2. This Act shall come into operation on a date fixed by the Administrator by notice published in the Gazette.

#### Principal Act

3. The Tourist Accommodation Act 1984 is in this Act referred to as the Principal Act.

#### Definitions

4. Subsection 4(1) of the Principal Act is amended -

(a) by adding after paragraph (a) in the definition of "tourist accommodation house" the following:

"(ab) a guest lodge, guest house, boarding-house or similar type of establishment;" and

(b) by omitting subsection (2).

**New section**

5. The Principal Act is amended by inserting after section 9 the following:

**Form of application - guest houses and boarding-houses**

"9A. An application for the registration as a tourist accommodation house of a guest lodge, guest house, boarding-house or similar type of establishment shall -

- (a) specify and describe the accommodation units in the establishment; and
- (b) specify the maximum number of guests intended to be supplied with sleeping accommodation."

**Further particulars in applications**

6. The Principal Act is amended by omitting from section 12 "hotel, of a group of apartments or of a single apartment" and substituting "tourist accommodation house".

**Particulars in instruments of registration**

7. Subsection 13(1) of the Principal Act is amended -

- (a) by omitting "hotel, the group of apartments or the single apartment" and substituting "tourist accommodation house";
- (b) by omitting from paragraph (a) "hotel, in the group of apartments or in the single apartment, as the case may be" and substituting "tourist accommodation house"; and
- (c) by omitting from paragraph (b) "hotel, in the group of apartments or in the single apartment, as the case may be," and substituting "tourist accommodation house".

**Cancellation or suspension of registration**

8. Section 17 of the Principal Act is amended by adding at the end the following:

"(5) The power of the executive member -

- (a) to suspend the registration of a tourist accommodation house under paragraph (1)(a); or

- (b) to cancel the registration of a tourist accommodation house under subsection (3),

includes a power to suspend or cancel the registration of a tourist accommodation house to the extent that the registration relates to a specified accommodation unit forming part of the tourist accommodation house."

#### **New section**

9. The Principal Act is amended by inserting after section 31 the following:

#### **Grading system**

"31A. (1) The executive member shall cause to be graded, in accordance with the prescribed grading system, tourist accommodation houses registered under this Act.

(2) The regulations may prescribe the fees payable in respect of the grading of a registered tourist accommodation house, and persons or classes of persons by whom the fees are payable.

(3) The grading of a registered tourist accommodation house shall be carried out at such intervals, not exceeding 12 months, as the executive member directs.

(4) The executive member shall appoint, by instrument in writing published in the Gazette, a person for the purposes of grading registered tourist accommodation houses in accordance with the regulations.

(5) A person shall not -

- (a) misrepresent or permit the misrepresentation of a grading in respect of a tourist accommodation house;
- (b) misrepresent or permit the misrepresentation of a tourist accommodation house that is not registered under this Act as a tourist accommodation house that is so registered; or
- (c) obstruct, hinder or assault a person appointed under subsection (4) where the person is exercising powers or

performing functions conferred on the person under this Act or the regulations.

Penalty: 10 penalty units."

**Transitional**

10. (1) For the purposes of this section, "former person" means a person appointed under regulation 29 of the Tourist Accommodation Regulations in relation to the grading of registered tourist accommodation houses and holding office immediately before the commencement of this Act.

(2) Until such time as a person is appointed under the Principal Act as amended by this Act, the former person may grade tourist accommodation houses in accordance with the regulations as if the former person were a person appointed under subsection 31A(4) of the Principal Act as inserted by this Act.

(3) The grading of a registered tourist accommodation house made by the former person shall remain in full force and effect for the period for which it was made by the former person.

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Notified Gazette No 23, 14 May 1987

Commenced 14 May 1987 (Gazette No 23, 14 May 1987)

This enactment amends Act No 11 of 1984 as previously amended by Act No 14 of 1986

Printed on the authority of the Administrator