

1992 No. 150

TOURISM

**Tourist Establishments (Notices, Certificates and Forms)
Regulations (Northern Ireland) 1992**

Made 20th March 1992

Coming into operation 1st April 1992

The Department of Economic Development, in exercise of the powers conferred on it by Article 13(2)(a) and (b), 13(3), 13(7), 15(3), 16(3) and 17(2) of the Tourism (Northern Ireland) Order 1992(a) and of every other power enabling it in that behalf hereby, makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Tourist Establishments (Notices, Certificates and Forms) Regulations (Northern Ireland) 1992 and shall come into operation on 1st April 1992.

Prescribed forms

2. The notices, certificates and forms in the Schedule are prescribed under Articles 13(2)(a) and (b), 13(3), 13(7), 15(3), 16(3) and 17(2) of the Tourism (Northern Ireland) Order 1992.

Sealed with the Official Seal of the Department of Economic Development on 20th March 1992.

(L.S.)

R. Gamble

Assistant Secretary

(a) S.I. 1992/235 (N.I. 3)

FORM 1

Notice of intention to provide or offer to provide Tourist Accommodation
Article 13(2)(a) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Name of establishment

Address of proprietor
(if different from that of establishment)

Statutory category of accommodation to be provided:

- Hotel []
- Guest house []
- B & B []
- Self-catering []
- Hostel []

Number of rooms/units []

Telephone number

Address of registered office

or principal office in Northern Ireland (if applicable)

Address of establishment

Date when I/we expect to start trading

This is to give notice of my/our intention to offer to provide tourist accommodation at the above address.

I am/we are aware that an application must be made to the Northern Ireland Tourist Board for a statutory inspection of the establishment to be carried out with a view to allocating the establishment to a statutory category prior to the commencement of trading.

Signed

(position)

Date

Application for a Statutory Inspection to allocate a Statutory Category
Article 13(2)(b) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Name of establishment

Address of proprietor
(if different from that of establishment)Statutory category to which I/we wish to apply:
(please tick one/more boxes)

Hotel	[]
Guest house	[]
B & B	[]
Self-catering	[]
Hostel	[]

Number of rooms/units []

Telephone number

Address of registered office

or principal office in Northern Ireland (if applicable)

Address of establishment

Date when I/we expect to start trading

This application requests a statutory inspection of the establishment to be conducted so that it may be allocated to the statutory category specified in this application.

Enclosed is a cheque/money order/postal order, for £ , crossed "account payee" or "a/c payee", either with or without the word "only", payable to the Northern Ireland Tourist Board, being the amount of fee set out in the Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 1992 [SR 1992 No. 136].

Signed

(position)

Date

Application for a Statutory Inspection: Change of Statutory Category
Article 13(3) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Name of establishment

Address of proprietor
(if different from that of establishment)

Statutory Category	<i>Current</i>	<i>Proposed Change</i>
Hotel	[]	[]
Guest house	[]	[]
B & B	[]	[]
Self-catering	[]	[]
Hostel	[]	[]
Number of rooms/units	[]	[]

Telephone number

Address of registered office

or principal office in Northern Ireland (if applicable)

Address of establishment

Reason(s) why I/we feel a
change is possible?

This application requests a statutory inspection of the above establishment to be conducted with a view to allocating it to a different statutory category.

Enclosed is a cheque/money order/postal order, for £ , crossed "account payee" or "a/c payee", either with or without the word "only", payable to the Northern Ireland Tourist Board, which is the amount of the fee set out in the Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 1992 [S.R. 1992 No. 136].

Signed

(position)

Date

Northern Ireland
Tourist Board

Certified

Tourist Establishment

Name of proprietor

Name of establishment

Address of establishment

Following a statutory inspection by the Northern Ireland Tourist Board, on the above establishment has, under Article 13(5) of the Tourism (Northern Ireland) Order 1992, been allocated to the statutory category of:

Signed on behalf of
the Northern Ireland Tourist Board

Notice of Revocation of Certificate following Statutory Inspection
Article 15(3) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Address of proprietor

Name of establishment

Address of establishment
(if different from that of proprietor)

Telephone number of proprietor

Statutory category

Following a statutory inspection, under Article (13)(1)(a) of the Tourism (Northern Ireland) Order 1992, by the Northern Ireland Tourist Board, on _____, the above establishment did not meet the following criteria prescribed by the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992 [S.R. 1992 No. 149]:

*
*
*
*
*
*

The reasons why it did not meet the criteria are as follows:

*
*
*
*
*

The Northern Ireland Tourist Board gives you notice that on _____ the certificate issued by the Board in respect of the above establishment on _____ shall be revoked.

Your attention is drawn to Article 14 of the Order which states that:

- (1) a person shall not provide or offer to provide tourist accommodation in any establishment unless a certificate under Article 13 is in force in relation to that establishment; and
- (2) the proprietor of an establishment shall not describe or hold out, or permit another person to hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 allocating that establishment to that statutory category.

A person contravening that Article shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1000 or to a term of 6 months imprisonment, or to both.

You may, in accordance with Article 18 of the Order, serve a notice on the Northern Ireland Tourist Board within 7 days of the notice of revocation, requiring

the Board to review the issue of the notice. On such a review you have the right to be heard either in person or by counsel or solicitor.

If the issue of the notice is confirmed by the Board you may, in accordance with Article 19 of the Order, and in accordance with county court rules, appeal against the notice to the county court division in which the establishment is situated.

Signed

(position)

Date

**Notice of Revocation of Certificate following an Inspection
other than Statutory Inspection**

Article 16(3) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Address of proprietor

Name of establishment

Address of establishment
(if different from that of proprietor)

Telephone number of proprietor

Statutory category

Following an inspection, under Article 16(1) of the Tourism (Northern Ireland) Order 1992, by the Northern Ireland Tourist Board, on _____, the above establishment did not meet the following criteria prescribed by the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992 [S.R. 1992 No. 149]:

- *
- *
- *
- *
- *
- *

The reasons why it did not meet the criteria are as follows:

- *
- *
- *
- *
- *

The Northern Ireland Tourist Board gives you notice that on _____ the certificate issued by the Board in respect of the above establishment on _____ shall be revoked.

Your attention is drawn to Article 14 of the Order which states that:

- (1) a person shall not provide or offer to provide tourist accommodation in any establishment unless a certificate under Article 13 is in force in relation to that establishment; and
- (2) the proprietor of an establishment shall not describe or hold out, or permit another person to hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 allocating that establishment to that statutory category.

A person contravening that Article shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1000 or to a term of 6 months imprisonment, or to both.

You may, in accordance with Article 18 of the Order, serve a notice on the Northern Ireland Tourist Board within 7 days of the notice of revocation, requiring the Board to review the issue of the notice. On such a review you have the right to be heard either in person or by counsel or solicitor.

If the issue of the notice is confirmed by the Board you may, in accordance with Article 19 of the Order, and in accordance with county court rules, appeal against the notice to the county court division in which the establishment is situated.

Signed

(position)

Date

You may, in accordance with Article 18 of the Order, serve a notice on the Northern Ireland Tourist Board within 7 days of the notice of revocation, requiring the Board to review the issue of the notice. On such a review you have the right to be heard either in person or by counsel or solicitor.

If the issue of the notice is confirmed by the Board you may, in accordance with Article 19 of the Order, and in accordance with county court rules, appeal against the notice to the county court division in which the establishment is situated.

Signed

(position)

Date

Notice of Refusal of Certificate following Statutory Inspection
Article 15(3) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Address of proprietor

Name of establishment

Address of establishment
(if different from that of proprietor)

Telephone number of proprietor

Statutory category for which application was made

Present statutory category (if applicable)

Date of application

Following a statutory inspection, under Article 13(1)(b) of the Tourism (Northern Ireland) Order 1992, by the Northern Ireland Tourist Board, on _____, the above establishment did not meet the following criteria prescribed by the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992 [S.R. 1992 No. 149]:

*

*

*

*

*

*

The reasons why it did not meet the criteria are as follows:

*

*

*

*

*

The Northern Ireland Tourist Board gives you notice that it refuses to allocate the above establishment to the statutory category specified in the application dated

Your attention is drawn to Article 14 of the Order which states that:

- (1) a person shall not provide or offer to provide tourist accommodation in any establishment unless a certificate under Article 13 is in force in relation to that establishment; and
- (2) the proprietor of an establishment shall not describe or hold out, or permit another person to hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 allocating that establishment to that statutory category.

A person contravening that Article shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or to a term of 6 months imprisonment, or to both.

You may, in accordance with Article 18 of the Order, serve a notice on the Northern Ireland Tourist Board within 7 days of the notice of revocation, requiring the Board to review the issue of the notice. On such a review you have the right to be heard either in person or by counsel or solicitor.

If the issue of the notice is confirmed by the Board you may, in accordance with Article 19 of the Order, and in accordance with county court rules, appeal against the notice to the county court division in which the establishment is situated.

Signed

(position)

Date

Notice of Revocation of Certificate following Refusal of Access

Article 17(2) of the Tourism (Northern Ireland) Order 1992

Name of proprietor

Address of proprietor

Name of establishment

Address of establishment
(if different from that of proprietor)

Telephone number of proprietor

Statutory category

Whereas the proprietor of the above establishment, in the opinion of the Northern Ireland Tourist Board, unreasonably refused access for the purpose of conducting a statutory inspection/inspection, under Article 13(1)(a)/Article 16(1) of the Tourism (Northern Ireland) Order 1992, following written requests on:

- *
*
*

Now therefore the Northern Ireland Tourist Board hereby gives you notice that the certificate issued by the Board on _____ in respect of the above establishment shall be revoked on _____

Your attention is drawn to Article 14 of the Order which states that:

- (1) a person shall not provide or offer to provide tourist accommodation in any establishment unless a certificate under Article 13 is in force in relation to that establishment; and
- (2) the proprietor of an establishment shall not describe or hold out, or permit another person to hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force a certificate under Article 13 of the Tourism (Northern Ireland) Order 1992 allocating that establishment to that statutory category.

A person contravening that Article shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000 or to a term of 6 months imprisonment, or to both.

The revocation by the Board of a certificate following refusal of access is final and no appeal exists.

Signed

(position)

Date

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe notices, certificates and forms for the purposes of the inspection and certification of tourist establishments. These are new provisions which come into operation with the commencement, on 1st April 1992, of the Tourism (Northern Ireland) Order 1992.

The prescribed notices are:

- (a) the notice which a proprietor of a tourist establishment is required to give to the Northern Ireland Tourist Board, under Article 13(2)(a) of the Order, of an intention to provide or offer to provide tourist accommodation (Form 1);
- (b) the notice, under Article 15(3) of the Order, of revocation of a certificate, following a statutory inspection of a tourist establishment, issued by the Board to the proprietor (Form 5);
- (c) the notice, under Article 16(3) of the Order, revoking the certificate issued by the Board to a proprietor following a non-statutory inspection (Form 6a);
- (d) the notice, under Article 16(3) of the Order, revoking the certificate issued by the Board to a proprietor following a non-statutory inspection because of the failure of the proprietor to comply with conditions attaching to the certificate (Form 6b);
- (e) the notice, under Article 15(3) of the Order, of the Board's refusal to issue a certificate following a statutory inspection of a new tourist establishment or one seeking a change from one statutory category to another (Form 7); and
- (f) the notice, under Article 17(2) of the Order, revoking a certificate following the refusal of a proprietor to permit the Board access to carry out an inspection (Form 8).

The prescribed forms relate to:

- (a) the application which a proprietor of a new establishment must make to the Board, under Article 13(2)(b) of the Order, for a statutory inspection (Form 2); and
- (b) the application made, under Article 13(3) of the Order, for an inspection when a change of statutory category is sought (Form 3).

The prescribed certificate relates to:

the certificate, issued under Article 13(7) of the Order, allocating a tourist establishment to a statutory category (Form 4).