



2011 CHAPTER 3

Statutory reviews of certified tourist establishments

2.—(1) The [Tourism \(Northern Ireland\) Order 1992 \(NI 3\)](#) is amended as follows.

(2) After Article 14 insert—

“Statutory review of certified tourist establishments

14A.—(1) The Board may, by notice in the prescribed form served on the proprietor of a certified tourist establishment, require the proprietor to submit to the Board before a specified date a return in the prescribed form—

- (a) stating whether the proprietor continues to provide tourist accommodation in that establishment; and
- (b) providing such other information in relation to that establishment as may be prescribed.

(2) The date specified in a notice under paragraph (1) must not be earlier than—

- (a) 30 days after the date of service of the notice; and
- (b) 11 months after—
 - (i) the date of the last previous statutory inspection of the establishment; or
 - (ii) if any notice has been served under paragraph (1) after the date of the last previous statutory inspection of the establishment, the date specified in that notice.

(3) Where a return is made under this Article, the Board shall cause the certification of the establishment under Article 13 to be reviewed in the light

of the information contained in the return; and a review under this paragraph is referred to in this Part as a “statutory review”.”.

(3) In Article 15(1) for the words from the beginning to “Article 13(1)(a)” substitute—

“(1) Where—

- (a) on a statutory inspection of a certified tourist establishment under Article 13(1)(a), or
- (b) on a statutory review of a certified tourist establishment under Article 14A(3).”.

(4) After Article 17 insert—

“Revocation of certificate following failure to submit return under Article 14A

17A.—(1) Where the proprietor of a certified tourist establishment fails to comply with a notice served on him under Article 14A(1), the Board shall issue and serve on the proprietor a notice revoking the certificate in force in relation to that establishment.

(2) A notice under paragraph (1)—

- (a) shall be in the prescribed form;
- (b) shall specify the date (not being less than 30 days from the date on which the notice is issued) on which the certificate shall be revoked;
- (c) shall draw the proprietor’s attention to the effect of Articles 14, 18 and 19.

(3) A notice under paragraph (1) shall, unless rescinded under Article 18 or quashed under Article 19, have effect to revoke a certificate on the date specified in the notice in accordance with paragraph (2)(b) notwithstanding that on that date a review of the issue of that notice is pending under Article 18 or an appeal against the notice is pending under Article 19.”.

(5) In Article 13(9) for “or 17(1)” insert “, 17(1) or 17A(1)”.

(6) In Article 18(1) and (2) for “or 16(2)” substitute “, 16(2) or 17A(1)”.

(7) In Article 18(5) after “16(2)” insert “or 17A(1)”.

(8) In Article 19(1) for “or 16(2)” substitute “, 16(2) or 17A(1)”.

(9) In Article 19(3) after “16(2)” insert “or 17A(1)”.