

EXPLANATORY MEMORANDUM TO

Tourism (Amendment) (2011 Act) (Commencement No. 1) Order (Northern Ireland) 2011

S.R. 2011 No. 106 (C. 6)

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department of Enterprise, Trade and Investment to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.
- 1.2. The Statutory Rule is made under section 6(4) of the Tourism (Amendment) Act (Northern Ireland 2011 and is subject to the negative resolution procedure.

2. Purpose

- 2.1. The Order will commence certain provisions of the Tourism (Amendment) Act (Northern Ireland) 2011, namely section 1(1), (2) and (4) and sections 2 and 3.
- 2.2. Commencement of these provisions will allow for a reduction in the frequency of NITB statutory inspections of tourist accommodation from an annual basis to once every four years. It also provides for tourism accommodation providers to make a return to NITB in the years between statutory inspections. In addition an officer of NITB will be able to amend or add to the conditions of a certificate on an inspection other than a statutory inspection.

3. Background

- 3.1. The Tourism (Amendment) Act (Northern Ireland) 2011 received Royal Assent on 25 January 2011 and makes a number of amendments to the Tourism (Northern Ireland) Order 1992.
- 3.2. The Act introduces arrangements to reduce the frequency of Northern Ireland Tourist Board (“NITB”) statutory inspections of tourist accommodation from an annual basis to once every four years. The Act also makes provision for tourism accommodation providers to make a return to NITB in the years between statutory inspections.
- 3.3. The Act makes provision for the transfer of responsibility for tourist accommodation grants from Invest NI to NITB. It also changes the mechanism whereby the chairman of NITB is appointed.

4. Consultation

- 4.1. The Department carried out a 12 week policy consultation in respect of the Tourism (Amendment) Act which began on 2 July 2009. No consultation was carried out in relation to this Order as it is solely concerned with commencing certain provisions of the Tourism (Amendment) Act.

5. Equality Impact

- 5.1. Screening carried out during the development of the Tourism (Amendment) Act did not show any differential impact on any of the section 75 groups. The sole purpose of the Order is to commence certain provisions of the Tourism (Amendment) Act.

6. Regulatory Impact

- 6.1. A Regulatory Impact Assessment was carried out for the Tourism (Amendment) Act. Any regulatory impact is derived from the Act itself, not from its commencement

7. Financial Implications

- 7.1. Reducing the frequency of statutory inspections will result in savings by tourist accommodation providers in respect of fees paid for those inspections.

8. Section 24 of the Northern Ireland Act 1998

- 8.1. The Department has considered the matter of Community Law and Convention Rights and is satisfied that there are no matters of concern.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. There is no comparable GB legislation.

11. Additional Information

- 11.1. Not applicable.