

2011 No. 209

TOURISM

**Tourist Establishments (Notices, Certificates and Forms)
Regulations (Northern Ireland) 2011**

Made - - - - 2nd June 2011

Coming into operation - 1st July 2011

The Department of Enterprise, Trade and Investment^(a), in exercise of powers conferred by Articles 13(2)(a) and (b), 13(3), 13(7), 14A(1), 15(3), 16(3), 17(2) and 17A(2) of the Tourism (Northern Ireland) Order 1992^(b), makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Tourist Establishments (Notices, Certificates and Forms) Regulations (Northern Ireland) 2011 and shall come into operation on 1st July 2011.

(2) In these Regulations the “Statutory Criteria Regulations” means the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992^(c)

Prescribed forms

2. The notices, certificates and forms in the Schedule are prescribed under Articles 13(2)(a) and (b), 13(3), 13(7), 14A(1), 15(3), 16(3), 17(2) and 17A(2) of the Tourism (Northern Ireland) Order 1992.

Revocation

3. The Tourist Establishments (Notices, Certificates and Forms) Regulations (Northern Ireland) 1992^(d) are revoked.

(a) Formerly the Department of Economic Development, S. I. 1999/283 (N.I. 1), Article 3(5)

(b) S.I. 1992/235 (N.I. 3). Article 14A was inserted by section 2(2) of the Tourism (Amendment) Act (Northern Ireland) 2011 (c. 3) and Article 17A was inserted by section 2(4) of that Act

(c) S.R. 1992 No. 149 as amended by S.R. 2009 No. 367 and S.R. 2011 No. 104

(d) S. R. 1992 No. 150

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on
2nd June 2011



Noel Cornick
A senior officer of the
Department of Enterprise, Trade and Investment

SCHEDULE

Regulation 2

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 | <input type="checkbox"/> |
| Guest House | <input type="checkbox"/> |
| B & B | <input type="checkbox"/> |
| Self-catering | <input type="checkbox"/> |
| Hostel | <input type="checkbox"/> |
| Bunk House | <input type="checkbox"/> |
| Campus Accommodation | <input type="checkbox"/> |
| Guest Accommodation | <input type="checkbox"/> |

Number of bedrooms []

Number of units (self-catering only) []

Number of bedspaces []

Contact telephone number

Contact email address

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 provide tourist accommodation at the above address.

Form 1 (contd.)

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

Name: (please write in block capitals)

Form 2

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 or more boxes)

- | | |
|----------------------|--------------------------|
| Hotel | <input type="checkbox"/> |
| Guest House | <input type="checkbox"/> |
| B & B | <input type="checkbox"/> |
| Self-catering | <input type="checkbox"/> |
| Hostel | <input type="checkbox"/> |
| Bunk House | <input type="checkbox"/> |
| Campus Accommodation | <input type="checkbox"/> |
| Guest Accommodation | <input type="checkbox"/> |

Number of bedrooms []

Number of units (self-catering only) []

Number of bedspaces []

Contact telephone number

Contact email address

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.

Form 2 (contd.)

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) 2011 (S.R. 2011 No. 105).
Alternatively the applicant(s) may apply online at www.nitb.com/forms.

Name	Position	Date
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Name: (please write in block capitals)

Form 3

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)

Current Statutory Category

Proposed Change of Statutory Category

Hotel

Hotel

Guest house

Guest house

B & B

B & B

Self-catering

Self-catering

Hostel

Hostel

Bunk house

Bunk house

Campus Accommodation

Campus Accommodation

Guest Accommodation

Guest Accommodation

Number of bedrooms []

Number of bedrooms []

Number of units (self-catering only) []

Number of units (self-catering only) []

Number of bedspaces []

Number of bedspaces []

Contact telephone number

Contact email address

Address of registered office
or principal office in Northern Ireland (if applicable)

Address of establishment

Reason(s) as to 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, being the amount of fee set out in the Statutory Inspection of Tourist Establishments (Fees) Regulations (Northern Ireland) 2011 (S.R. 2011 No. 105).

Alternatively the applicant(s) may apply online at www.nitb.com/forms.

Form 3 (contd.)

Signed

Position

Date

Name: (please write in block capitals)

Form 4(a)

**Certificate issued to an establishment under Article 13(7) of the Tourism
(Northern Ireland) Order 1992**

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

Form 4(b)

Statutory review of certified tourist establishments
Article 14A(1) of the Tourism (Northern Ireland) Order 1992

Section 1 – Establishment Details

Statutory category of accommodation provided
– please tick appropriate box

- | | |
|----------------------|--------------------------|
| Hotel | <input type="checkbox"/> |
| Guest House | <input type="checkbox"/> |
| B & B | <input type="checkbox"/> |
| Self-catering | <input type="checkbox"/> |
| Hostel | <input type="checkbox"/> |
| Bunk House | <input type="checkbox"/> |
| Campus Accommodation | <input type="checkbox"/> |
| Guest Accommodation | <input type="checkbox"/> |

Name of establishment

Address of establishment

Number of bedrooms

Number of units (self-catering only)

Number of bedspaces

Section 2 – Proprietor Details

Name of proprietor

Address of proprietor

Contact telephone number

Contact email address

Form 4(b) (contd.)

Section 3 – Changes to the Establishment

Have any changes been made to the establishment in respect of the Statutory Criteria Regulations since the last statutory inspection by the Northern Ireland Tourist Board or the last statutory review? Please tick the appropriate box.

Yes

No

If yes please state what changes have been made.

Section 4 – Statement of Compliance

I confirm that the establishment:

- (i) is still used to provide tourist accommodation;
- (ii) complies with the statutory criteria as set out in the Statutory Criteria Regulations; and
- (iii) complies with all other statutory requirements relating thereto for the time being in force.

Signed

Position

Date

Name: (please write in block capitals)

Form 5

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)

Contact telephone number

Contact email address

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 Statutory Criteria Regulations.



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 respect of that establishment.
- (2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.

Form 5 (contd.)

(3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, 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

Name: (please write in block capitals)

Form 6(a)

**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)

Contact telephone number

Contact email address

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 Statutory Criteria Regulations:



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 respect of that establishment.
- (2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.

Form 6(a) (contd.)

(3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, 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

Name (please write in block capitals)

Form 6(b)

**Notice of Revocation of Certificate: Failure to comply with conditions 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)

Contact telephone number

Contact email address

Statutory category

Following an inspection under Article 13(1) of the Tourism (Northern Ireland) Order 1992, by the Northern Ireland Tourist Board on _____, the above establishment was allocated to the above category and on the _____ was issued with a certificate [and a notice under Article 13(12)(b) was issued on _____ stating that the certificate was being issued to the proprietor subject to the following conditions being met by



Following a further inspection of the establishment, under Article 16(1) of that Order, by the Northern Ireland Tourist Board on _____ the conditions attaching to the certificate had not been complied with, namely:



The Northern Ireland Tourist Board gives 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 respect of that establishment.

Form 6(b) (contd.)

(2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.

(3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, 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

Name: (please write in block capitals)

Form 6(c)

**Notice of Revocation of Certificate: Failure to comply with conditions 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 proprietor
(if different from that of proprietor)

Contact telephone number

Contact email address

Statutory category

Following an inspection under Article 13(1) of the Tourism (Northern Ireland) Order 1992, by the Northern Ireland Tourist Board on _____, the above establishment was allocated to the above category and on the _____ was issued with a certificate [and a notice under Article 13(12)(b) was issued on _____ stating that the certificate was being issued to the proprietor subject to the following conditions being met by



Following a further inspection of the establishment, under Article 16(1) of that Order, by the Northern Ireland Tourist Board on _____ [an officer of the Board amended the certificate by attaching conditions to it] [an officer of the Board added or amended conditions to the certificate] as permitted by Article 16(5) of the Tourism (Northern Ireland) Order 1992.

Following a further inspection of the establishment, under Article 16(1) of that Order, by the Northern Ireland Tourist Board on _____ [the conditions attaching to the certificate had not been complied with, namely] the additional or amended conditions attaching to the certificate had not been complied with, namely]



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

Form 6(c) (contd.)

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 respect of that establishment.
- (2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.
- (3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, 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

Name: (please write in block capitals)

Form 7

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)

Contact telephone number

Contact email address

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 Statutory Criteria Regulations.



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 respect of that establishment.

Form 7 (contd.)

(2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.

(3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, 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

Name: (please write in block capitals)

Form 8

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)

Contact telephone number

Contact email address

Statutory category

Whereas the proprietor of the 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 respect of that establishment.
- (2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.
- (3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, or to both.

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

Signed

Position

Date:

Name: (please write in block capitals)

Form 9

Notice of Revocation of Certificate: Failure to submit return under Article 14A

Article 17A(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)

Contact telephone number

Contact email address

Statutory category

Whereas the proprietor of the establishment, in the opinion of the Northern Ireland Tourist Board, has refused to comply with a notice served on him under Article 14A(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 respect of that establishment.
- (2) The proprietor of an establishment shall not describe or hold out, or permit any person to describe or hold out, that establishment as being within a statutory category of tourist accommodation unless there is in force in relation to that establishment a certificate under Article 13 allocating that establishment to that statutory category.
- (3) A person who contravenes paragraph (1) or (2) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale or to imprisonment for a term not exceeding 6 months, 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.

Form 9 (contd.)

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

Name: (please write in block capitals)

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.

The prescribed notices are:

- (a) the notice which a proprietor of a tourist establishment is required to give to the Northern Ireland Tourist Board (“the Board”), under Article 13(2)(a) of the Tourism (Northern Ireland) Order 1992 (“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 an 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 6(a));
- (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 6(b));
- (e) 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 or the additional or amended conditions attaching to the certificate as permitted under Article 16(5) of the Order (Form 6(c));
- (f) 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);
- (g) 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); and
- (h) the notice, under Article 17A(2) of the Order, revoking the certificate issued by the Board following the failure of a proprietor to submit a return issued under Article 14A(1) of the Order (Form 9).

The prescribed forms relate to:

- (i) 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);
- (j) the application made, under Article 13(3) of the Order, for an inspection when a change of statutory category is sought (Form 3); and
- (k) the form issued under Article 14A(1) of the Order requiring a proprietor to state whether he continues to provide tourist accommodation and to provide any other information in relation to that establishment as may be prescribed (Form 4(b)).

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(a)).

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2011 No. 209

TOURISM

**Tourist Establishments (Notices, Certificates and Forms)
Regulations (Northern Ireland) 2011**

£5.75