



Jersey

# **TOURISM (GENERAL PROVISIONS) (JERSEY) ORDER 1990**

## **Official Consolidated Version**

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Jersey

## TOURISM (GENERAL PROVISIONS) (JERSEY) ORDER 1990

### Contents

#### Article

<b>PART 1</b>	<b>5</b>
PRELIMINARY	5
1 Interpretation .....	5
2 Classification of premises .....	5
<b>PART 2</b>	<b>6</b>
HOTEL REGISTER	6
3 Registration of hotels.....	6
4 Requirements for registration as hotel .....	6
<b>PART 3</b>	<b>11</b>
GUEST HOUSE REGISTER	11
5 Registration of guest houses.....	11
6 Requirements for registration as guest house .....	12
<b>PART 4</b>	<b>16</b>
SELF-CATERING ACCOMMODATION REGISTER	16
7 Registration of self-catering accommodation .....	16
8 Requirements for registration as self-catering accommodation.....	16
9 Uses of self-catering accommodation .....	18
10 Self-catering accommodation forming part of other premises.....	19
11 Self-catering accommodation in use on appointed day.....	19
<b>PART 5</b>	<b>20</b>
YOUTH HOSTEL REGISTER	20
12 Registration of youth hostels.....	20
13 Requirements for registration as youth hostel.....	20

<b>PART 6</b>	<b>20</b>
HOLIDAY CAMP REGISTER	20
14 Registration of holiday camps .....	20
15 Requirements for registration as holiday camp .....	21
<b>PART 7</b>	<b>22</b>
CAMP SITE REGISTER	22
16 Registration of camp sites .....	22
17 Requirements for registration as camp site .....	22
<b>PART 8</b>	<b>22</b>
MISCELLANEOUS AND FINAL PROVISIONS	22
18 Additional charges .....	22
19 Exemption from registration .....	23
20 Applications .....	23
21 Registration fee.....	23
22 Fee for replacement of registration certificate .....	23
23 Devolution of registered premises .....	23
24 Transfer of registered premises .....	24
25 .....	24
26 Structural alterations and change of use .....	24
27 Existing standards .....	24
28 Citation.....	25
<b>SCHEDULE 1</b>	<b>26</b>
FEEs FOR REGISTRATION OR RENEWAL OF REGISTRATION	26
<b>SCHEDULE 2</b>	<b>27</b>
FORM OF APPLICATION FOR REGISTRATION BY THE PERSON CHARGED WITH THE ADMINISTRATION OF THE ESTATE OF A DECEASED REGISTERED PROPRIETOR	27
<b>SCHEDULE 3</b>	<b>28</b>
FORM OF APPLICATION FOR TRANSFER OF REGISTRATION	28
<b>ENDNOTES</b>	<b>30</b>
Table of Legislation History .....	30
Table of Renumbered Provisions .....	32
Table of Endnote References .....	34



Jersey

## **TOURISM (GENERAL PROVISIONS) (JERSEY) ORDER 1990<sup>1</sup>**

**THE ECONOMIC DEVELOPMENT COMMITTEE**, in pursuance of [Tourism \(Jersey\) Law 1948](#), orders as follows –

Commencement [[see endnotes](#)]

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### **PART 1**

#### **PRELIMINARY**

#### **1 Interpretation**

In this Order, unless the context otherwise requires –

“appointed day” means 1st October 1990;

“existing Order” means the repealed Tourism (General Provisions) (Jersey) Order 1958;

“Law” means the [Tourism \(Jersey\) Law 1948](#);

“previously registered guest house” means premises which, immediately before the appointed day, were registered in the Guest House Register pursuant to Article 5 of the existing Order;

“previously registered hotel” means premises which, immediately before the appointed day, were registered in either the First or the Second Register pursuant to Article 3 or 4 of the existing Order;

“resident guest” means a person lodging for payment on registered premises;

“site of special interest” has the same meaning as in Chapter 1 of Part 6 of the [Planning and Building \(Jersey\) Law 2002](#).<sup>2</sup>

#### **2 Classification of premises**

- (1) For the purposes of the Law, the Minister shall establish and maintain registers of premises classified as follows –

- (a) a register relating to premises classified as hotels, which shall be called the Hotel Register;
  - (b) a register relating to premises classified as guest houses, which shall be called the Guest House Register;
  - (c) a register relating to premises classified as self-catering accommodation, which shall be called the Self-Catering Accommodation Register;
  - (d) a register relating to premises classified as youth hostels, which shall be called the Youth Hostel Register;
  - (e) a register relating to premises classified as holiday camps, which shall be called the Holiday Camp Register;
  - (f) a register relating to premises classified as camp sites, which shall be called the Camp Site Register.
- (2) Subject to Article 10, premises registered in the Hotel Register, Guest House Register or Holiday Camp Register may include accommodation which is offered for occupation on a self-catering basis.

## **PART 2**

### **HOTEL REGISTER**

#### **3 Registration of hotels**

- (1) No premises shall be registered in the Hotel Register unless the Minister is satisfied that the premises meet the requirements set out in Article 4.
- (2) If the premises in respect of which application for registration is made include accommodation which is to be offered for occupation on a self-catering basis, the provisions of Article 10 shall also apply.

#### **4 Requirements for registration as hotel**

- (1) The requirements referred to in Article 3(1) are that –
  - (a) the premises –
    - (i) are of solid and substantial construction and in good repair, and
    - (ii) subject to paragraph (2), are part of a single building or a series of internally linked buildings.
  - (b) the premises are suitably constructed or adapted for the lodging of persons in private rooms or apartments and for the provision and service of –
    - (i) such meals as may be offered, and
    - (ii) refreshments,at times when such meals or refreshments are customarily available in an hotel;

- (c) the premises are suitably designed or properly adapted for hotel purposes;
- (d) subject to paragraph (3), the sleeping accommodation, excluding any rooms or apartments offered for occupation exclusively on a self-catering basis, is provided by at least 16 bedrooms;
- (e) the sleeping accommodation is provided by separate bedrooms which can be individually locked, are so numbered or named as to make them readily identifiable and are equipped with a wash basin serviced with a constant and controllable supply of hot and cold running water;
- (f) subject to paragraph (4), the minimum floor area of each bedroom, excluding any bathroom or shower room with water closet, is –
  - (i) if the room is for one occupant 70 square feet,
  - (ii) if the room is for 2 occupants 140 square feet,
  - (iii) if the room is for 3 occupants 190 square feet,
  - (iv) if the room is for 4 occupants (being the maximum permissible for registration) 240 square feet;
- (g) subject to paragraph (5), the height of bedrooms, and the dimensions of windows therein, meet the requirements prescribed for buildings to which the [Building Bye-laws \(Jersey\) 2007](#) apply;
- (h) in addition to the electrical power points required for the operation of fittings and appliances provided in bedrooms, there is at least one 13 amp power point conveniently located for general use;
- (i) subject to paragraph (6), the minimum width of a bed is –
  - (i) in the case of a single bed – 3 feet, and
  - (ii) in the case of a double bed – 4 feet 6 inches;
- (j) excluding any rooms or apartments offered for occupation exclusively on a self-catering basis, the proportion of bedrooms provided with a private bathroom or shower room, with water closet, serviced with a constant and controllable supply of hot and cold running water, represents not less than 15% of the total number of bedrooms available for resident guests;
- (k) subject to paragraph (7), the floor area of a private bathroom containing a bath, a water closet and a wash basin is not less than 40 square feet and the floor area of a shower room containing a shower cubicle, a water closet and a wash basin is not less than 25 square feet;
- (l) subject to paragraph (8), in a private bathroom or shower room, the minimum exterior length of a bath is 5 feet 6 inches, the minimum exterior dimensions of a shower tray are 2 feet 6 inches by 2 feet 6

inches and the minimum dimensions of a wash basin are 22 inches by 16 inches;

- (m) the premises contain, for every 6 resident guests who are not accommodated in bedrooms provided with private water closets, at least one separate, modern and sanitary indoor water closet with a wash basin serviced with a constant and controllable supply of hot and cold running water and hygienic hand drying facility, each such water closet being conveniently located for use by those resident guests;
- (n) in addition to any water closets which are provided for resident guests, the premises contain in the vicinity of, and easily accessible from, the reception or other public area, at least 2 modern and sanitary indoor water closets, one for use by males and one for use by females, each with a wash basin serviced with a constant and controllable supply of hot and cold running water and hygienic hand drying facility;
- (o) subject to paragraph (9), if persons who are not resident guests are catered for, the premises contain, for the use of such persons, a sufficient number of modern and sanitary indoor water closets each with a wash basin serviced with a constant and controllable supply of hot and cold running water and hygienic hand drying facility, such water closets not being located on floors where there are bedrooms, except in the case of the ground floor or where rooms for the use of persons who are not resident guests are located other than on the ground floor;
- (p) the premises contain, for resident guests who are not accommodated in bedrooms provided with private bathrooms or shower rooms –
  - (i) where the number of resident guests so accommodated does not exceed 9, at least one separate bathroom serviced with a constant and controllable supply of hot and cold running water,
  - (ii) for every additional 9 resident guests so accommodated, at the rate of at least one bathroom or shower room, serviced with a constant and controllable supply of hot and cold running water,such bathrooms or shower rooms being conveniently located for use by those resident guests, with no separate charge being made for the use of the facilities;
- (q) subject to paragraph (10), in the case of bathrooms or shower rooms provided for use by resident guests who are not accommodated in rooms having private bathrooms or shower rooms –
  - (i) the floor area of a bathroom containing a bath, a water closet and a wash basin is not less than 40 square feet and the floor area of a shower room containing a shower cubicle, a water closet and a wash basin is not less than 25 square feet,



- (ii) the minimum exterior length of a bath is 5 feet 6 inches, the minimum exterior dimensions of a shower tray are 2 feet 6 inches by 2 feet 6 inches and the minimum exterior dimensions of a wash basin are 22 inches by 16 inches;
- (r) subject to paragraph (11), the premises contain, for the use of resident guests, a sitting room (other than a bar lounge) of adequate size with an acceptable outlook and natural light, and conveniently located in relation to the reception area of the premises;
- (s) the premises contain dining accommodation that is furnished with sufficient tables for the efficient service of meals at one sitting to at least 30% of resident guests that can be accommodated on the premises;
- (t) the premises contain kitchen and larder space of suitable size and design, together with culinary facilities, sinks and refrigeration space adequate to meet the requirements of the maximum number of persons for which the premises can cater at any one time;
- (u) the premises are provided, where necessary, with chambermaids' pantries on floors on which bedrooms are located, adequate to the number of resident guests accommodated on the floor in question;
- (v) the public areas of the premises are not used in a manner which deprives resident guests of the normal facilities and amenities of the premises or unreasonably reduces the standards of comfort and service which may normally be expected;
- (w) the premises are satisfactorily furnished, equipped, appointed and maintained, and provide a standard of comfort and quality and service appropriate to the Register;
- (x) lighting and ventilation are satisfactory throughout the premises, with heating appropriate to seasonal requirements being provided at no extra charge;
- (y) decor is of a satisfactory standard throughout the premises;
- (z) windows are fitted where necessary either with suitable lined curtains or with blinds and, in addition, with net curtains in any case where a bedroom is overlooked;
- (aa) the floor covering in all parts of the premises is suitable for its purpose;
- (ab) corridors normally intended for use by resident guests are –
  - (i) subject to paragraph (12), not less than 3 feet 6 inches in width, and
  - (ii) satisfactorily lit to ensure safety;
- (ac) a public telephone is installed in the premises and satisfactory arrangements exist for resident guests to make and receive calls at all times;
- (ad) precautions are taken against fire and for the safety of persons in the case of fire, and notices are posted in every bedroom as to the

- means of escape, in accordance with the directions and recommendations of the States of Jersey Fire and Rescue Service;
- (ae) the premises conform to a satisfactory standard of cleanliness, orderliness, safety and general condition with satisfactory arrangements for water supply and sewage disposal;
  - (af) a first aid kit is readily available on the premises;
  - (ag) a responsible person is available on the premises at all times, and details of how this person may be contacted at night are clearly posted in the entrance hall of the premises and in every bedroom;
  - (ah) the staff employed on the premises is sufficient to maintain a satisfactory service in all departments and the members of the staff are suitably trained and skilled in their respective duties;
  - (ai) the business is under the management of a fit and proper person who is experienced and competent in hotel management.<sup>3</sup>
- (2) The requirement set out in paragraph (1)(a)(ii) –
- (a) shall not apply to a previously registered hotel if, immediately before the appointed day, sleeping accommodation was provided in a separate building or buildings and the amount of accommodation so provided has not increased on or after the appointed day; or
  - (b) may be waived by the Minister in respect of any premises in respect of which registration is sought if –
    - (i) part of the sleeping accommodation on the premises is provided in one or more separate buildings,
    - (ii) sub-paragraph (a) does not operate in respect of the premises, and
    - (iii) the Minister is satisfied that the sleeping accommodation provided in the separate buildings offers standards of accommodation and comfort comparable to those of the sleeping accommodation provided elsewhere on the premises.<sup>4</sup>
- (3) The provisions of paragraph (1)(d) –
- (a) shall not apply to a previously registered hotel; and
  - (b) may be waived by the Minister in respect of any premises in respect of which registration is sought if the Minister is satisfied that the premises –
    - (i) offer exceptional standards of accommodation and comfort, and
    - (ii) comply in all other respects with the requirements for registration.<sup>5</sup>
- (4) The requirements of paragraph (1)(f) relating to floor areas of bedrooms –
- (a) shall not apply to a bedroom in a previously registered hotel having a private bathroom or shower room with water closet;

- (b) shall not apply until 1st January 1996 to a bedroom in a previously registered hotel not having a private bathroom or shower room with water closet if –
    - (i) the room is for one occupant and the floor area is 60 square feet or more but is less than 70 square feet, or
    - (ii) the room is for 2 occupants and the floor area is 120 square feet or more but is less than 140 square feet; and
  - (c) may be modified by the Minister to provide for occasions on which the room is occupied by one or more persons under the age of 12 years.
- (5) The provisions of paragraph (1)(g) –
    - (a) shall not apply to a previously registered hotel; and
    - (b) may be waived by the Minister in relation to any premises if, at the time of application for registration, the premises are a site of special interest.<sup>6</sup>
  - (6) The provisions of paragraph (1)(i) shall not apply to single beds to be used exclusively by children under the age of 12 years.
  - (7) The provisions of paragraph (1)(k) shall not apply to a private bathroom or shower room in a previously registered hotel.
  - (8) The provisions of paragraph (1)(l) shall not apply to a bath, shower tray or wash basin in a private bathroom or shower room of a previously registered hotel.
  - (9) The provisions of paragraph (1)(o) relating to the location of water closets for the use of persons who are not resident guests shall not apply to a previously registered hotel.
  - (10) The provisions of paragraph (1)(q) shall not apply to –
    - (a) a bathroom or shower room; or
    - (b) a bath, shower tray or wash basin,in a previously registered hotel.
  - (11) The Minister may, if satisfied that special circumstances exist, relax the requirements of paragraph (1)(r).
  - (12) The provisions of paragraph (1)(ab)(i) shall not apply to a previously registered hotel.

### **PART 3**

#### **GUEST HOUSE REGISTER**

##### **5 Registration of guest houses**

- (1) No premises shall be registered in the Guest House Register unless the Minister is satisfied that the premises meet the requirements set out in Article 6.

- (2) If the premises in respect of which application for registration is made include accommodation which is to be offered for occupation on a self-catering basis, the provisions of Article 10 shall also apply.

## **6 Requirements for registration as guest house**

- (1) The requirements referred to in Article 5(1) are that –
- (a) the premises –
    - (i) are of solid and substantial construction and in good repair, and
    - (ii) subject to paragraph (2), are part of a single building or a series of internally linked buildings;
  - (b) the premises are suitably constructed or adapted for the lodging of persons in private rooms or apartments and for the provision and service of –
    - (i) such meals as may be offered, and
    - (ii) refreshments,at times when such meals or refreshments are customarily available in a guest house;
  - (c) the premises are suitably designed or properly adapted for guest house purposes;
  - (d) the sleeping accommodation, excluding any rooms or apartments offered for occupation exclusively on a self-catering basis, is provided by a maximum of 24 bedrooms;
  - (e) the sleeping accommodation is provided by separate bedrooms which can be individually locked, are so numbered or named as to make them readily identifiable and are equipped with a wash basin serviced with a constant and controllable supply of hot and cold running water;
  - (f) subject to paragraph (3), the minimum floor area of each bedroom, excluding any private bathroom or shower room with water closet is –
    - (i) if the room is for one occupant      70 square feet,
    - (ii) if the room is for 2 occupants      140 square feet,
    - (iii) if the room is for 3 occupants      190 square feet,
    - (iv) if the room is for 4 occupants  
(being the maximum permissible  
for registration)      240 square feet;
  - (g) subject to paragraph (4), the height of bedrooms, and the dimensions of windows therein, meet the requirements prescribed for buildings to which the [Building Bye-laws \(Jersey\) 2007](#) apply;

- (h) in addition to the electrical power points required for the operation of fittings and appliances provided in bedrooms, there is at least one 13 amp power point conveniently located for general use;
- (i) subject to paragraph (5), the minimum width of a bed is –
  - (i) in the case of a single bed – 3 feet, and
  - (ii) in the case of a double bed – 4 feet 6 inches;
- (j) where all resident guests are accommodated in bedrooms with private bathrooms or shower rooms the premises contain at least one additional modern and sanitary indoor water closet, with a hand basin serviced with a constant and controllable supply of hot and cold running water and hygienic hand drying facility and conveniently located for use by resident guests;
- (k) the premises contain for every 8 resident guests who are not accommodated in bedrooms provided with private water closets, at least one separate, modern and sanitary indoor water closet, with a hand basin serviced with a constant and controllable supply of hot and cold running water and hygienic hand drying facility, each such water closet being conveniently located for use by those resident guests;
- (l) subject to paragraph (6), if persons who are not resident guests are catered for, the premises contain, for the use of such persons, a sufficient number of modern and sanitary indoor water closets, each with a hand basin serviced with a constant and controllable supply of hot and cold running water and hygienic hand drying facility, such water closets not being situated on floors where there are bedrooms except in the case of the ground floor or where rooms for the use of persons who are not resident guests are located other than on the ground floor;
- (m) the premises contain, for resident guests who are not accommodated in bedrooms provided with private bathrooms or shower rooms –
  - (i) where the number of resident guests so accommodated does not exceed 12, at least one separate bathroom serviced with a constant and controllable supply of hot and cold running water, and
  - (ii) for every additional 12 resident guests so accommodated, at the rate of at least one bathroom or shower room serviced with a constant and controllable supply of hot and cold running water,such bathrooms or shower rooms being conveniently located for use by those resident guests, with no separate charge being made for the use of the facilities;
- (n) subject to paragraph (7), in the case of bathrooms or shower-rooms provided for use by resident guests not accommodated in bedrooms having private bathrooms or shower rooms –

- (i) the floor area of a bathroom containing a bath, a water closet and a wash basin is not less than 40 square feet and the floor area of a shower room containing a shower cubicle, a water closet and a wash basin is not less than 25 square feet,
  - (ii) the minimum exterior length of a bath is 5 feet 6 inches, the minimum exterior dimensions of a shower tray are 2 feet 6 inches by 2 feet 6 inches and the minimum exterior dimensions of a wash basin are 22 inches by 16 inches;
- (o) subject to paragraph (8), the premises contain at least one room (other than a bar lounge) in a convenient location with an acceptable outlook and natural light, and of adequate size to serve as a dining room and lounge for at least 30% of resident guests that can be accommodated on the premises;
- (p) the premises contain kitchen and larder space of suitable size and design together with culinary facilities, sinks and refrigeration space adequate to meet the requirements of the maximum number of persons for which the premises can cater at any one time;
- (q) the public areas of the premises are not used in a manner which deprives resident guests of the normal facilities and amenities of the premises or unreasonably reduces the standards of comfort and service which may normally be expected;
- (r) the premises are satisfactorily furnished, equipped, appointed and maintained, and provide a standard of comfort, quality and service appropriate to the Register;
- (s) lighting and ventilation are satisfactory throughout the premises, with heating appropriate to seasonal requirements being provided;
- (t) decor is of a satisfactory standard throughout the premises;
- (u) windows are fitted where necessary either with suitable lined curtains or with blinds, and, in addition, with net curtains where a bedroom is overlooked;
- (v) the floor covering in all parts of the premises is suitable for its purpose;
- (w) corridors in the premises are adequately lit to ensure safety;
- (x) a telephone is installed in the premises and satisfactory arrangements exist for resident guests to make and receive calls at all times;
- (y) precautions are taken against fire and for the safety of persons in the case of fire, and notices are posted in every bedroom as to the means of escape, in accordance with the directions and recommendations of the States Fire Service;
- (z) the premises conform to a satisfactory standard of cleanliness, orderliness, safety and general condition, with satisfactory arrangements for water supply and sewage disposal;
- (aa) a first aid kit is readily available on the premises;

- (ab) a responsible person is in attendance when resident guests arrive and depart and is in residence at night, with details of how that person may be contacted at night being clearly posted in the entrance hall of the premises and in every bedroom;
  - (ac) the staff employed in the premises is sufficient to maintain a satisfactory service in all departments and the members of the staff are suitably trained and skilled in their respective duties;
  - (ad) the business is under the management of a fit, proper and competent person.<sup>7</sup>
- (2) The requirement set out in paragraph (1)(a)(ii) –
- (a) shall not apply to a previously registered guest house if, immediately before the appointed day, sleeping accommodation was provided in a separate building or buildings and the amount of accommodation so provided has not increased on or after the appointed day; or
  - (b) may be waived by the Minister in respect of any premises in respect of which registration is sought if –
    - (i) part of the sleeping accommodation on the premises is provided in one or more separate buildings,
    - (ii) sub-paragraph (a) does not operate in respect of the premises, and
    - (iii) the Minister is satisfied that the sleeping accommodation provided in the separate buildings offers standards of accommodation and comfort comparable to those of the sleeping accommodation provided elsewhere on the premises.<sup>8</sup>
- (3) The requirements of paragraph (1)(f) relating to floor areas in bedrooms –
- (a) shall not apply to a bedroom in a previously registered guest house having a private bathroom or shower room with water closet;
  - (b) shall not apply until 1st January 1996 to a bedroom in a previously registered guest house not having a private bathroom or shower room with water closet if –
    - (i) the room is for one occupant and the floor area is less than 60 square feet,
    - (ii) the room is for 2 occupants and the floor area is less than 120 square feet,
    - (iii) the room is for 3 occupants and the floor area is less than 180 square feet,
    - (iv) the room is for 4 occupants and the floor area is less than 230 square feet; and
  - (c) shall not apply to a bedroom in a previously registered guest house not having a private bathroom or shower room with water closet if –

- (i) the room is for one occupant and the floor area is 60 square feet or more but is less than 70 square feet,
    - (ii) the room is for 2 occupants and the floor area is 120 square feet or more but is less than 140 square feet,
    - (iii) the room is for 3 occupants and the floor area is 180 square feet or more but is less than 190 square feet,
    - (iv) the room is for 4 occupants and the floor area is 230 square feet or more but is less than 240 square feet; and
  - (d) may be modified by the Minister to provide for occasions when the room is occupied by one or more persons under the age of 12 years.
- (4) The provisions of paragraph (1)(g) –
- (a) shall not apply to a previously registered guest house; and
  - (b) may be waived by the Minister in relation to any premises if, at the time of application for registration, the premises are a site of special interest.<sup>9</sup>
- (5) The provisions of paragraph (1)(i) shall not apply to single beds to be used exclusively by children under the age of 12 years.
- (6) The provisions of paragraph (1)(l) relating to the location of water closets for the use of persons who are not resident guests shall not apply to a previously registered guest house.
- (7) The provisions of paragraph (1)(n) shall not apply to –
- (a) a bathroom or shower room; or
  - (b) a bath, shower tray or wash basin,
- in a previously registered guest house.
- (8) The provisions of paragraph (1)(o) relating to the outlook from, and the natural light in, a dining room and lounge shall not apply to a previously registered guest house.

## PART 4

### SELF-CATERING ACCOMMODATION REGISTER

#### **7 Registration of self-catering accommodation**

No premises shall be registered in the Self-Catering Accommodation Register unless the Minister is satisfied that the premises meet the requirements set out in Article 8.

#### **8 Requirements for registration as self-catering accommodation**

- (1) The requirements referred to in Article 7 are that –
  - (a) the premises in which the accommodation is provided are –



- (i) of solid and substantial construction and in good repair,
  - (ii) adequately sound-proofed, and
  - (iii) suitably designed or properly adapted for the lodging of persons in self contained accommodation which is so numbered as to make it readily identifiable;
- (b) the accommodation is provided with –
  - (i) facilities for the storage of dry and refrigerated food,
  - (ii) facilities for the preparation and cooking of meals, and
  - (iii) household utensils, cutlery, crockery, glassware, linen and other relevant equipment, sufficient to meet the needs of the maximum number of resident guests for which the accommodation is to be registered;
- (c) the accommodation is equipped with a modern and sanitary indoor water closet, a bathroom or shower room and a wash basin serviced with a constant and controllable supply of hot and cold running water;
- (d) the configuration, design and general standard of the accommodation is satisfactory having regard to the maximum number of resident guests for which the accommodation is to be registered;
- (e) the overall floor area of the accommodation is not less than 300 square feet for a maximum of 2 occupants, with a further 85 square feet for each additional occupant;
- (f) the minimum floor area of each room to be used as sleeping accommodation is –
  - (i) if the room is for one occupant 70 square feet,
  - (ii) if the room is for 2 occupants 120 square feet,
  - (iii) if the room is for 3 occupants 150 square feet,
  - (iv) if the room is for 4 occupants (being the maximum permissible for registration) 200 square feet;
- (g) the floor area of a bathroom containing a bath, a water closet and a wash basin is not less than 40 square feet and the floor area of a shower room containing a shower cubicle, a water closet and a wash basin is not less than 25 square feet;
- (h) in a bathroom or shower room, the minimum exterior length of a bath is 5 feet 6 inches, the minimum exterior dimensions of a shower tray are 2 feet 6 inches by 2 feet 6 inches and the minimum dimensions of a wash basin are 22 inches by 16 inches;
- (i) the floor area of the living room is not less than –
  - (i) 140 square feet where the living room is combined with a kitchen, or

- (ii) 120 square feet where the living room is separate from the kitchen;
  - (j) where there is a separate kitchen, the floor area thereof is not less than 50 square feet;
  - (k) subject to paragraph (2), the height of rooms, and the dimensions of windows therein, meet the requirements prescribed for buildings to which the [Building Bye-laws \(Jersey\) 2007](#) apply;
  - (l) the accommodation is satisfactorily furnished, equipped, appointed and maintained and provides a standard of comfort and quality appropriate to the Register;
  - (m) lighting and ventilation are satisfactory throughout the accommodation, with heating appropriate to seasonal requirements being provided;
  - (n) adequate arrangements exist for resident guests to make and receive telephone calls;
  - (o) precautions are taken against fire and the safety of persons in the case of fire in accordance with the directions and recommendations of the States Fire Service;
  - (p) the accommodation conforms to a satisfactory standard of cleanliness, orderliness, safety and general condition with satisfactory arrangements for water supply, sewage disposal and refuse clearance;
  - (q) the nature of the accommodation, the services provided and the current scale of charges are fully and accurately described in a brochure which is available on request;
  - (r) the staff are sufficient in number, training and skills to provide a level of service which is adequate to meet the requirements of resident guests;
  - (s) the business is under the management of a competent person and that person, or a responsible deputy, can be contacted at all times by resident guests.<sup>10</sup>
- (2) The provisions of paragraph (1)(k) may be waived by the Minister in relation to any premises if, at the time of application for registration, the premises are a site of special interest.<sup>11</sup>

## 9 Uses of self-catering accommodation

- (1) Without prejudice to the other provisions of this Order, the following conditions shall apply to the use of self-catering accommodation in any registered premises –
- (a) subject to paragraph (2), the persons occupying the accommodation shall have exclusive use of the whole of that accommodation;
  - (b) the accommodation shall not be occupied by a greater number of persons than that for which it is registered.

- (2) The Minister may, if satisfied that special circumstances exist, relax the requirements of paragraph (1)(a), either generally or in relation to any particular case, and subject to such conditions, if any, as the Minister sees fit to impose.
- (3) A registered proprietor who causes or permits self-catering accommodation to be used in contravention of the provisions of paragraph (1), or who fails to comply with any condition imposed by the Minister pursuant to paragraph (2) shall be guilty of an offence and liable to a fine of level 2 on the standard scale.<sup>12</sup>

## **10 Self-catering accommodation forming part of other premises**

- (1) This Article applies to accommodation included in an application for registration in the Hotel Register, Guest House Register or Holiday Camp Register which is to be offered for occupation on a self-catering basis.
- (2) Accommodation to which this Article applies shall not be registered as part of an hotel, guest house or holiday camp, as the case may be, unless the conditions specified in paragraph (3) are satisfied.
- (3) The conditions referred to in paragraph (2) are that –
  - (a) subject to paragraph (4), the accommodation forms part of, or is situated in the grounds attached to, the premises in respect of which application for registration is made;
  - (b) the general standard of construction of the building or buildings containing the accommodation is not lower than that of the premises as a whole;
  - (c) the accommodation meets the requirements set out in Article 8(1) for the registration of accommodation in the Self-Catering Accommodation Register.
- (4) The Minister may, if satisfied that special circumstances exist, relax the requirements of paragraph (3)(a) in relation to self-catering accommodation which is included in an application for registration by a previously registered hotel.
- (5) Accommodation to which this Article applies is subject to the provisions of Article 9.

## **11 Self-catering accommodation in use on appointed day**

Any premises being operated as self-catering accommodation which, on the appointed day, become subject to the provisions of this Order may continue such operation –

- (a) for a period of 3 months from the appointed day; and
- (b) if before the expiration of that period application for registration under this Order is made in respect of the premises, until the Minister grants or refuses the application, or in the case of an appeal under Article 22 of the Law, until the determination of that appeal.

## PART 5

### YOUTH HOSTEL REGISTER

#### 12 Registration of youth hostels

No premises shall be registered in the Youth Hostel Register unless the Minister is satisfied that the premises meet the requirements set out in Article 13.

#### 13 Requirements for registration as youth hostel

The requirements referred to in Article 12 are that –

- (a) the premises are constructed or adapted for the overnight shelter of young persons;
- (b) the sleeping accommodation is provided by separate bedrooms or dormitories, adequately ventilated, of reasonable size and with sufficient external window lighting;
- (c) the premises contain facilities for ablutions and water closets reasonably adequate to the number of resident guests that can be accommodated on the premises;
- (d) where males and females are to be lodged on the premises, separate sleeping accommodation, facilities for ablutions and water closets are provided for persons of each sex;
- (e) the premises contain at least one common room, suitably furnished and large enough to serve as a dining and recreation room for all resident guests that can be accommodated on the premises;
- (f) the premises generally conform to reasonable standards of cleanliness, orderliness, ventilation, safety and general condition;
- (g) precautions are taken against fire and for the safety of persons in the case of fire in accordance with the directions and recommendations of the States Fire Service;
- (h)
- (i) the business is under the management of a responsible person who resides on the premises when they are open for the lodging of persons.<sup>13</sup>

## PART 6

### HOLIDAY CAMP REGISTER

#### 14 Registration of holiday camps

- (1) No premises shall be registered in the Holiday Camp Register unless the Minister is satisfied that the premises meet the requirements set out in Article 15.

- (2) If the premises in respect of which application for registration is made include accommodation which is to be offered for occupation on a self-catering basis, the provisions of Article 10 shall also apply.

## **15 Requirements for registration as holiday camp**

The requirements referred to in Article 14 are that –

- (a) the premises are in good repair;
- (b) the premises are constructed or adapted for the lodging of persons and for the provision and service, at reasonable hours, of meals and refreshments;
- (c) the sleeping accommodation is provided by separate bedrooms or chalets placed in reasonable proximity to each other to form a compact unit or set of units, so numbered as to make them readily identifiable, adequately ventilated, and of reasonable size;
- (d) the height of rooms, and the dimensions of windows therein, meet the requirements prescribed for buildings to which the [Building Bye-laws \(Jersey\) 2007](#) apply;
- (e) the premises contain water closets reasonably adequate to the number of persons that can be lodged thereon;
- (f) the premises contain at least one bathroom or shower room for every 20 resident guests that can be accommodated thereon, and one wash basin for every 5 such persons;
- (g) the premises contain adequate and varied facilities for outdoor and indoor recreation;
- (h) the premises include at least one permanent structure suitable to be used for meals and indoor recreation, such structure being adequate for the efficient service of meals at one sitting to at least one half of the number of resident guests that can be accommodated on the premises;
- (i) the premises contain kitchen and larder space and culinary facilities adequate to the number of resident guests that can be accommodated thereon;
- (j) the premises are adequately furnished, equipped, appointed and ventilated;
- (k) the accommodation conforms to a satisfactory standard of cleanliness, safety, orderliness and general condition with satisfactory arrangements for water supply and sewage disposal;
- (l) the staff employed on the premises is sufficient to maintain a satisfactory service in all departments and the members of the staff are reasonably trained and skilled in their respective duties;
- (m) a first aid kit is readily available on the premises;
- (n) precautions are taken against fire and for the safety of persons in the case of fire, in accordance with the directions and recommendations of the States Fire Service;
- (o) the business is under the management of a person or persons reasonably competent in the management of holiday camps.<sup>14</sup>

## **PART 7**

### **CAMP SITE REGISTER**

#### **16 Registration of camp sites**

No premises shall be registered in the Camp Site Register unless the Minister is satisfied that the premises meet the requirements set out in Article 17.

#### **17 Requirements for registration as camp site**

The requirements referred to in Article 16 are that –

- (a) sleeping is only permitted in tents or similar structures;
- (b) the premises generally conform to reasonable standards of cleanliness, orderliness, safety and general condition with satisfactory arrangements for water supply, sewage and refuse disposal, vehicular access and the parking of vehicles;
- (c) all buildings on the premises are of reasonable size, of suitable construction for their intended purpose, adequately ventilated, with sufficient external window lighting and in good repair;
- (d) adequate space is provided and maintained between tents and kept free of obstruction;
- (e) precautions are taken against fire and for the safety of persons in the case of fire, in accordance with the directions and recommendations of the States Fire Service;
- (f) a first aid kit is readily available on the premises;
- (g) vehicular access is provided to all parts of the premises designated for the erection of tents;
- (h) the premises contain facilities for ablutions including bathrooms or shower rooms, wash basins, water closets, laundering and facilities for the washing of cooking and eating utensils, reasonably adequate for the number of persons accommodated on the premises and that such facilities are maintained in clean and efficient working order;
- (i) an adequate number of staff is employed to ensure the efficient operation of the business;
- (j) the business is under the management of a reasonably competent person.

## **PART 8**

### **MISCELLANEOUS AND FINAL PROVISIONS**

#### **18 Additional charges**

- (1) Subject to paragraph (2), any additional charges which a resident guest will be required to pay in consequence of the guest's occupation of

accommodation on registered premises shall be fully and accurately described when an offer of accommodation is made.

- (2) The provisions of paragraph (1) shall not apply to charges for the use of special facilities or services which are available on registered premises and which are offered to resident guests on an optional basis.

## **19 Exemption from registration**

Nothing in Article 5 of the Law shall require the registration of –

- (a) any educational establishment;
- (b) any premises in which lodging for reward at any one time is provided for 5 persons or less.

## **20 Applications**

- (1) Every application for the registration or renewal of registration of any premises under Article 9 of the Law shall be accompanied by a fee of £2.
- (2) Every such application shall be signed by the proprietor of the premises or, if made on behalf of a limited liability company or partnership, by the secretary, manager or other duly authorized officer of the company or a partner of the partnership as the case may be.

## **21 Registration fee<sup>15</sup>**

- (1) Subject to paragraph (2), the fee payable on the registration or the renewal of the registration of any premises shall be calculated in accordance with the scale set out in Schedule 1.
- (2) The fee payable on the registration or the renewal of the registration of any premises which only provide short-term accommodation shall be calculated in accordance with the scale set out in Schedule 1, divided by 365 days and multiplied by the total number of nights of short-term accommodation to be provided.
- (3) The expression “short-term accommodation” means accommodation provided for a period of occupation of between one, but not more than 7 consecutive nights in the year to which the registration certificate relates.

## **22 Fee for replacement of registration certificate**

The fee on the issue of a registration certificate in place of a certificate which has been accidentally lost, destroyed or defaced shall be £5.

## **23 Devolution of registered premises**

Every application by the persons charged with the administration of the estate of the deceased registered proprietor of any registered premises for the registration of himself or herself as the registered proprietor thereof –

- (a) shall be in the form set out in Schedule 2;
- (b) shall contain the relevant particulars required thereby; and
- (c) shall be signed by that person.

## **24 Transfer of registered premises**

Every application by a person to whom the business conducted on any registered premises has been transferred for the registration of himself or herself as the registered proprietor thereof –

- (a) shall be in the form set out in Schedule 3;
- (b) shall contain the relevant particulars required thereby;
- (c) shall be signed by that person or, if made on behalf of a limited liability company or partnership, by the secretary, manager or other authorized officer of the company or a partner of the partnership, as the case may be; and
- (d) shall be accompanied by a fee of £15.

## **25** <sup>16</sup>

## **26 Structural alterations and change of use**

- (1) Subject to paragraph (2), no structural alterations to, or any change in the use of, any registered premises which would affect the general character of the premises or the accommodation or services provided therein shall be made without the prior approval of the Minister and any such approval may be given unconditionally or subject to such conditions as the Minister may consider appropriate.
- (2) The Minister shall not approve an application under paragraph (1) to make structural alterations to registered premises, or any part thereof, in respect of which a dispensation from, or relaxation of, any of the provisions of this Order applies unless the Minister is satisfied that, on completion of the structural alterations, it will no longer be necessary for such dispensation or relaxation to apply.
- (3) Nothing in this Article shall relieve a registered proprietor from any obligation to obtain any authorization, consent or permission under any other enactment affecting the structure or use of the registered premises.

## **27 Existing standards**

Nothing in this Order shall operate so as to reduce the standards applicable to any premises registered under the existing Order immediately before the appointed day.



**28 Citation**

This Order may be cited as the Tourism (General Provisions) (Jersey) Order 1990.

**SCHEDULE 1<sup>17</sup>**

(Article 21)

**FEES FOR REGISTRATION OR RENEWAL OF REGISTRATION**

<b>Class of registration</b>	<b>Amount of fee</b>
1. Hotel Register	£7.69 multiplied by the number of persons who can be lodged on the premises
2. Guest House Register	£5.12 multiplied by the number of persons who can be lodged on the premises
3. Self-Catering Accommodation Register	£7.14 multiplied by the number of persons who can be lodged on the premises
4. Youth Hostel Register	£4.29 multiplied by the number of persons who can be lodged on the premises
5. Holiday Camp Register	£5.38 multiplied by the number of persons who can be lodged on the premises
6. Camp Site Register	£4.29 multiplied by the number of persons who can be lodged on the premises

**SCHEDULE 2**

(Article 23)

**FORM OF APPLICATION FOR REGISTRATION BY THE PERSON  
CHARGED WITH THE ADMINISTRATION OF THE ESTATE OF A  
DECEASED REGISTERED PROPRIETOR**

I.....(a)  
of.....(b)  
being the .....(c)  
of .....(d)  
the registered proprietor of .....  
.....  
.....(e)  
who died on the ..... day of....., 20  
apply to be registered as the registered proprietor of the said premises.

Signature.....

Date.....

- (a) Full name of applicant.
- (b) Full address and telephone number of applicant.
- (c) “Administrator of the personal estate” or “Executor of the will”.
- (d) Full name of deceased registered proprietor.
- (e) Description of establishment and full address of premises.

**SCHEDULE 3**

(Article 24)

**FORM OF APPLICATION FOR TRANSFER OF REGISTRATION**

1. Name of establishment .....
2. Full address(es) and telephone number(s) of premises .....  
.....  
.....
3. Full name(s) and telephone number(s) of transferor(s) .....  
.....  
.....
4. Full name(s) and telephone number(s) of transferee(s) .....  
.....  
.....
  - (a) Description of transferee(s) .....  
(State whether limited liability company, partnership or individual.)
  - (b) If a limited liability company, state full name and telephone number of secretary .....  
.....
  - (c) If a partnership or an individual, state full address(es) and telephone number(s) of transferee(s) .....  
.....
  - (d) If a limited liability company, state address of registered office .....  
.....
5. Full name of manager .....  
If the manager is not resident on the premises, state full address and telephone number of residence .....  
.....  
.....

I/We declare as follows

.....  
.....

- (i) that I/we have acquired the business conducted on the above-mentioned premises,
- (ii) that the particulars furnished in the application for the registration of the premises for the current year are still applicable,
- (iii) that I/we will carry out all agreements to provide board and lodging in the premises entered into by the transferor prior to the date of the transfer;

and I/we apply for registration as the proprietor(s) of the said premises.

The transfer fee of £      is enclosed herewith.

Signature .....

Date .....

Description .....

To be signed by the transferee or, in the case of a partnership, by one partner at least, or, in the case of a limited liability company, by the authorized officer of the company.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
Tourism (General Provisions) (Jersey) Order 1990	R&O.8104	1 October 1990
Tourism (General Provisions) (Amendment) (Jersey) Order 1991	R&O.8227	27 June 1991
Tourism (General Provisions) (Amendment No. 2) (Jersey) Order 1993	R&O.8585	1 October 1993
Tourism (General Provisions) (Amendment No. 3) (Jersey) Order 1995	R&O.8851	1 December 1995
Tourism (General Provisions) (Amendment No. 4) (Jersey) Order 1996	R&O.8986	21 October 1996
Tourism (General Provisions) (Amendment No. 5) (Jersey) Order 1997	R&O.9105	1 October 1997
Tourism (General Provisions) (Amendment No. 6) (Jersey) Order 1998	R&O.9279	1 October 1998
Tourism (General Provisions) (Amendment No. 7) (Jersey) Order 2000	<a href="#">R&amp;O.69/2000</a>	1 October 2000
Tourism (General Provisions) (Amendment No. 8) (Jersey) Order 2001	<a href="#">R&amp;O.123/2001</a>	1 October 2001
Tourism (General Provisions) (Amendment No. 9) (Jersey) Order 2002	<a href="#">R&amp;O.70/2002</a>	1 October 2002
Tourism (General Provisions) (Amendment No. 10) (Jersey) Order 2003	<a href="#">R&amp;O.76/2003</a>	1 October 2003
Tourism (General Provisions) (Amendment No. 11) (Jersey) Order 2004	<a href="#">R&amp;O.94/2004</a>	1 October 2004
Tourism (General Provisions) (Amendment No. 12) (Jersey) Order 2005	<a href="#">R&amp;O.88/2005</a>	1 October 2005
States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005	<a href="#">R&amp;O.44/2005</a>	9 December 2005

<b>Legislation</b>	<b>Year and No</b>	<b>Commencement</b>
Tourism (General Provisions) (Amendment No. 13) (Jersey) Order 2006	<a href="#">R&amp;O.121/2006</a>	1 January 2007
Tourism (General Provisions) (Amendment No. 14) (Jersey) Order 2007	<a href="#">R&amp;O.106/2007</a>	1 January 2008
Tourism (General Provisions) (Amendment No. 15) (Jersey) Order 2008	<a href="#">R&amp;O.127/2008</a>	1 January 2009
Economic Development (2010 Fees) (Jersey) Order 2009	<a href="#">R&amp;O.109/2009</a>	1 January 2010
Economic Development (2011 Fees) (Jersey) Order 2010	<a href="#">R&amp;O.110/2010</a>	1 January 2011
Economic Development (2012 Fees) (Jersey) Order 2011	<a href="#">R&amp;O.138/2011</a>	25 October 2011
Tourism (General Provisions) (Amendment No. 16) (Jersey) Order 2012	<a href="#">R&amp;O.60/2012</a>	3 May 2012
Economic Development (2013 Fees) (Jersey) Order 2012	<a href="#">R&amp;O.111/2012</a>	4 October 2012
Tourism (General Provisions) (Amendment No. 17) (Jersey) Order 2012	<a href="#">R&amp;O.144/2012</a>	13 December 2012
Economic Development (2014 Fees) (Jersey) Order 2013	<a href="#">R&amp;O.131/2013</a>	10 October 2013
Tourism (General Provisions) (Amendment No. 18) (Jersey) Order 2014	<a href="#">R&amp;O.167/2014</a>	15 October 2014
Economic Development (2015 Fees) (Jersey) Order 2014	<a href="#">R&amp;O.189/2014</a>	2 December 2014
Tourism (General Provisions) (Amendment No. 19) (Jersey) Order 2015	<a href="#">R&amp;O.117/2015</a>	14 October 2015
Economic Development (2016 Fees) (Jersey) Order 2015	<a href="#">R&amp;O.172/2015</a>	30 December 2015
Tourism (General Provisions) (Amendment No. 20) (Jersey) Order 2016	<a href="#">R&amp;O.25/2016</a>	1 July 2016
Criminal Justice (Miscellaneous Provisions) (Jersey) Law 2016	<a href="#">L.1/2016</a>	20 September 2016 ( <a href="#">R&amp;O.98/2016</a> )
Economic Development, Tourism, Sport and Culture (2017 Fees) (Jersey) Order 2016	<a href="#">R&amp;O.104/2016</a>	14 October 2016
Economic Development, Tourism, Sport and Culture (2018 Fees) (Jersey) Order 2017	<a href="#">R&amp;O.131/2017</a>	21st December 2017

Legislation	Year and No	Commencement
Economic Development, Tourism, Sport and Culture (2019 Fees) (Jersey) Order 2018	<a href="#">R&amp;O.105/2018</a>	26 October 2018
Economic Development, Tourism, Sport and Culture (2020 Fees) (Jersey) Order 2019	<a href="#">R&amp;O.90/2019</a>	2 October 2019

### Table of Renumbered Provisions

Original	Current
PART I	PART 1
1(2),(3),(4)	spent, omitted from this revised edition
PART II	PART 2
4(1)(j)	4(1)(i)
(k)	(j)
(l)	(k)
(m)	(l)
(n)	(m)
(o)	(n)
(p)	(o)
(q)	(p)
(r)	(q)
(s)	(r)
(t)	(s)
(u)	(t)
(v)	(u)
(w)	(v)
(x)	(w)
(y)	(x)
(z)	(y)
(aa)	(z)
(ab)	(aa)
(ac)	(ab)
(ad)	(ac)
(ae)	(ad)
(af)	(ae)
(ag)	(af)
(ah)	(ag)
(aj)	(ah)
(ak)	(ai)
PART III	PART 3
6(1)(j)	6(1)(i)
(k)	(j)
(l)	(k)
(m)	(l)
(n)	(m)



Original	Current
(o)	(n)
(p)	(o)
(q)	(p)
(r)	(q)
(s)	(r)
(t)	(s)
(u)	(t)
(v)	(u)
(w)	(v)
(x)	(w)
(y)	(x)
(z)	(y)
(aa)	(z)
(ab)	(aa)
(ac)	(ab)
(ad)	(ac)
(ae)	(ad)
7	spent, omitted from this revised edition; former Article amended by R&O.8227
PART IV	PART 4
8	7
9	8
(1)(j)	(1)(i)
(k)	(j)
(l)	(k)
(m)	(l)
(n)	(m)
(o)	(n)
(p)	(o)
(q)	(p)
(r)	(q)
(s)	(r)
(t)	(s)
10	9
11	10
12	11
PART V	PART 5
13	12
14	13
(j)	(i)
PART VI	PART 6
15	14
16	15
(j)	(i)
(k)	(j)
(l)	(k)
(m)	(l)

Original	Current
(n)	(m)
(o)	(n)
(p)	(o)
PART VII	PART 7
17	16
18	17
(j)	(i)
(k)	(j)
PART VIII	PART 8
19	18
20	19
21	20
22	21
23	22
24	23
25	24
26	25
27	26
28	27
29	spent, omitted from this revised edition
30	28
FIRST SCHEDULE	SCHEDULE 1
SECOND SCHEDULE	SCHEDULE 2
THIRD SCHEDULE	SCHEDULE 3
FOURTH SCHEDULE	spent, omitted from this revised edition

### Table of Endnote References

- <sup>1</sup> *This Order has been amended by the States of Jersey (Amendments and Construction Provisions No. 4) (Jersey) Regulations 2005. The amendments replace all references to a Committee of the States of Jersey with a reference to a Minister of the States of Jersey, and remove and add defined terms appropriately, consequentially upon the move from a committee system of government to a ministerial system of government.*
- <sup>2</sup> *Article 1 amended by R&O.60/2012*
- <sup>3</sup> *Article 4(1) amended by R&O.60/2012, R&O.117/2015*
- <sup>4</sup> *Article 4(2) substituted by R&O.60/2012*
- <sup>5</sup> *Article 4(3) amended by R&O.60/2012*
- <sup>6</sup> *Article 4(5) amended by R&O.60/2012*
- <sup>7</sup> *Article 6(1) amended by R&O.60/2012, R&O.117/2015*
- <sup>8</sup> *Article 6(2) substituted by R&O.60/2012*
- <sup>9</sup> *Article 6(4) amended by R&O.60/2012*
- <sup>10</sup> *Article 8(1) amended by R&O.60/2012*
- <sup>11</sup> *Article 8(2) amended by R&O.60/2012*
- <sup>12</sup> *Article 9(3) amended by L.1/2016*
- <sup>13</sup> *Article 13 amended by R&O.144/2012*

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- <sup>14</sup> *Article 15*                      *amended by R&O.60/2012*  
<sup>15</sup> *Article 21*                      *substituted by R&O.167/2014*  
<sup>16</sup> *Article 25*                      *deleted by R&O.25/2016*  
<sup>17</sup> *Schedule 1*                      *substituted by R&O.104/2016, R&O.131/2017,*  
   *R&O.105/2018, R&O.90/2019*