

**2009 No. 367**

**TOURISM**

**Categories of Tourist Establishment (Statutory Criteria)  
(Amendment) Regulations (Northern Ireland) 2009**

*Made* - - - - *11th November 2009*

*Coming into operation* - *11th November 2009*

The Department of Enterprise, Trade and Investment(a), makes the following Regulations in exercise of the powers conferred by Article 12(5) and (6) of the Tourism (Northern Ireland) Order 1992(b), after consultation with the Northern Ireland Tourist Board:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Categories of Tourist Establishment (Statutory Criteria) (Amendment) Regulations (Northern Ireland) 2009 and shall come into operation on 11<sup>th</sup> November 2009.

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

(3) In these regulations “the Tourism Order” means the Tourism (Northern Ireland) Order 1992.

**Amendment of Schedule 1 to the principal regulations**

2.—(1) Subject to regulation 3, Schedule 1 to the principal Regulations shall be amended in accordance with paragraphs (2) to (12).

(2) (a) For sub-paragraph (1)(a) substitute—

“(a) overnight sleeping accommodation in not less than 15 double bedrooms all of which must be ensuite;”;

(b) in sub-paragraph (1)(b) omit “, midday meal” and before “refreshments” insert “midday”;  
and

(c) for sub-paragraph (1)(c) substitute—

“(c) the daily cleaning of bedrooms when visitors are resident.”.

(3) (a) In paragraph 4 (dining area) in sub-paragraph (1) for “visitors” substitute “bedrooms”;

(b) for the Table in sub-paragraph (1) substitute—

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(a) Formerly of the Department of Economic Development, S.I. 1999/283 (N.I. 1), Article 3(5)  
(b) S.I. 1992/235 (N.I. 3)  
(c) S.R. 1992 No.149

**“Table**

<i>Column 1</i>	<i>Column 2</i>
Number of Bedrooms	Dining Area
Up to 50	50 square metres
51 to 60	60 square metres
61 to 70	70 square metres
71 to 80	80 square metres
81 to 90	90 square metres
91 to 100	100 square metres
101 to 125	125 square metres
126 or more	150 square metres”

- (c) In sub-paragraph (2)(b) for “for whom the establishment provides sleeping accommodation” substitute “who may reasonably be expected to use the area at any one time”;
- (d) in sub-paragraph (2)(f) omit the words “ash trays, table cloths, table mats,”;
- (e) for sub-paragraph (2)(g) substitute—  
 “(g) have sufficient crockery of good quality to serve the number of diners who may reasonably be expected to use the area at any one time;” ;
- (f) at the end of sub-paragraph (h) omit “; and” and insert a full stop; and
- (g) omit sub-paragraph (2)(i).
- (4) (a) In paragraph 5 (kitchen area) at the end of sub-paragraph (b) insert “and”;
- (b) at the end of sub-paragraph (c) omit “; and” and insert a full stop; and
- (c) omit sub-paragraph (d) .
- (5) Omit paragraph 6 (lounge area).
- (6) (a) In paragraph 7 (general toilets) in sub-paragraph (2)(b) after the words “separate compartments” insert “and shall be capable of being locked”;
- (b) in sub-paragraph (3) for “visitors” substitute “bedrooms”; and
- (c) in sub-paragraph (3) in the heading to Column 1 of the Table for “Visitors” substitute “Bedrooms”.
- (7) (a) In paragraph 8 (visitor’s bedrooms) in sub-paragraph (d) omit “a floor to ceiling height of not less than 2.44 metres and”;
- (b) in sub-paragraph (f) for “one electrical outlet” substitute “two electrical outlets”;
- (c) for sub-paragraph (g)(ii) substitute—  
 “(ii) a supply of clean linen, blankets or duvets and pillows;”
- (d) for sub-paragraph (g)(v) substitute—  
 “(v) luggage racks and waste baskets;”
- (e) in sub-paragraph (g)(vii) after “blinds” insert “which shall be sufficient to ensure privacy and exclusion of light”; and
- (f) in sub-paragraph (g)(viii) omit “and shaver point”.
- (8) After paragraph 8 insert—  
 “8A. The establishment may provide bedrooms outside, but adjacent to, the main building and all such bedrooms shall be ensuite.”
- (9) In paragraph 9 (bathroom and toilets) in sub-paragraph (5) omit “and shaver point”.
- (10) In paragraph 10 (management and staff) omit sub-paragraph (4).
- (11) After paragraph 10 insert—

*“Staff facilities*

10A.—(1) There shall be staff facilities provided which may be located separately from the kitchen area and, if appropriate, outside but adjacent to the main building.

(2) Staff facilities shall include adequate toilets with hand washing facilities, changing areas with locker provision and a combined lounge and dining area.”

(12) For paragraph 11 (other criteria) substitute—

“11. The establishment shall provide basic first aid equipment.”

3. Paragraph 1(1)(a) of Schedule 1 to the principal Regulations shall continue to apply to any establishment certified under the Order as a hotel before the 11<sup>th</sup> November 2009 as if these Regulations had not been made.

**Amendment of Schedule 2 to the principal regulations**

4.—(1) Subject to regulation 5, Schedule 2 to the principal Regulations shall be amended in accordance with paragraphs (2) to (7).

(2) In paragraph 1 (general), for sub-paragraph (1) substitute—

“(1) The establishment shall—

- (a) provide overnight sleeping accommodation in not less than 3 double bedrooms all of which must be ensuite;
- (b) provide meals (including breakfast and an evening meal); and
- (c) provide for the daily cleaning of rooms when visitors are resident.”

(3) In paragraph 3 (entrance) for sub-paragraph(a) substitute—

“(a) of sufficient size to cater for the number of visitors who may reasonably be expected to use it at any one time;”

(4) In paragraph 4 (dining area) for sub-paragraph (d) substitute—

“(d) provide cutlery, condiments, napkins and crockery to be sufficient for the number of guests who may reasonably be expected to use it at any one time and;”

(5) In paragraph 6 (lounge area) for “for whom sleeping accommodation is provided” substitute “who may be expected to use them at any one time”.

(6) (a) In paragraph 7 (visitors’ bedrooms) in sub-paragraph(c) for “one electrical outlet” substitute “two electrical outlets”.

(b) for sub-paragraph (d)(ii) substitute—

“(ii) a supply of clean linen, blankets or duvets and pillows;”

(c) omit “and ashtray” in sub-paragraph (d)(v);

(d) at the end of sub-paragraph (d)(vii) insert “which shall be sufficient to ensure privacy and exclusion of light”; and

(e) omit “and shaver point” in sub-paragraph (e).

(7) In paragraph 8 (bathrooms and toilets) at the end of sub-paragraph (3) insert “or shower or any combination thereof”.

5. Paragraph 1(1)(a) of Schedule 2 to the principal Regulations shall continue to apply to any establishment certified under the Order before the 11<sup>th</sup> November 2009 as if these Regulations had not been made.

**Amendment of Schedule 3 to the principal regulations**

6.—(1) Subject to regulation 7, Schedule 3 to the principal Regulations shall be amended in accordance with paragraphs (2) to (6).

(2) (a) In paragraph 1 (general) at the end of sub-paragraph (1)(a) omit “and”;

- (b) at the beginning of sub-paragraph (1)(b) omit “be capable of providing”;
- (c) at the end of sub-paragraph (1)(b) omit the full stop and insert “; and”;
- (d) after sub-paragraph (1)(b) insert—

“(c) carry out the daily cleaning of rooms when visitors are resident.”.

- (3) After paragraph 2 (construction) insert—

“2A The establishment shall be in good decorative order and kept clean and well maintained throughout, including outdoor areas, grounds and car parking areas.”

- (4) In paragraph 4 (dining area) for sub-paragraph (d) substitute—

“(d) have sufficient cutlery, condiments, napkins and crockery for the number of diners who may be expected to use it at any one time;”.

- (5) (a) In paragraph 7 (visitors’ bedrooms) for sub-paragraph (c)(ii) substitute—

“(ii) a supply of clean linen, blankets or duvets and pillows;”;

- (b) omit “and ashtray” in sub-paragraph (c)(v); and
- (c) at the end of sub-paragraph (c)(vii) insert “which shall be sufficient to ensure privacy and the exclusion of light”.

- (6) (a) In paragraph 8(1) (bathrooms and toilets) in sub-paragraphs (a) and (b) for the figure “10” substitute “6”; and

- (b) at the end of sub-paragraph (3) insert “or shower or any combination thereof”.

7. Paragraph 8(1) of Schedule 3 to the principal Regulations shall continue to apply to any establishment certified as a bed and breakfast under the Order before 11<sup>th</sup> November 2009 as if these Regulations had not been made.

#### **Amendment of Schedule 4 to the principal regulations**

8.—(1) Subject to regulation 9, Schedule 4 to the principal Regulations shall be amended in accordance with paragraphs (2) to (4).

- (2) (a) At the end of sub-paragraph 3(1)(b) (general) omit the full stop and insert “; and”;

- (b) after sub-paragraph (1)(b) insert—

“(c) provide access to laundry facilities.”.

(3) At the end of paragraph 6 (lounge and dining areas) insert “and that such furniture, fittings and equipment shall be sufficient for the number of persons for whom sleeping accommodation is provided”.

- (4) (a) In paragraph 8 (visitors’ sleeping accommodation) for sub-paragraph (b) substitute—

“(b) shall contain adequate furniture, fittings and equipment of good quality and condition for the purpose and in particular a supply of linen, blankets or duvets and pillows sufficient for the number of beds provided; and”;

- (b) after sub-paragraph (b) insert—

“(c) window curtains or blinds which shall be sufficient to ensure privacy and the exclusion of light.”;

- (c) in paragraph 9 (bathrooms and toilets) omit “a shaver socket,”.

9. Paragraph 3(1) of Schedule 4 to the principal Regulations shall continue to apply to any establishment certified under the Order as a self-catering establishment before the 11<sup>th</sup> November 2009 as if these Regulations had not been made.

#### **Amendment of Schedule 5 to the principal regulations**

10.—(1) Subject to Regulation 11, Schedule 5 to the principal Regulations shall be amended in accordance with paragraphs (2) to (5).

(2) In paragraph 4 (dining area) for sub-paragraph (2) substitute—

“(2) The dining area shall have at least one window or roof light, the glass area of which is not less than one-tenth of the floor area and, where there is no adequate mechanical system of ventilation, at least half of which shall be capable of being opened.”

(3) In paragraph 6 (common room) for sub-paragraph (2) substitute—

“(2) Each common room shall have at least one window or roof light, the glass area of which is not less than one-tenth of the floor area and, where there is no adequate mechanical system of ventilation, not less than half of which is capable of being opened.”

(4) Paragraph 7(1) (bathrooms, shower rooms and toilets) shall be amended as follows—

(a) for the figure “20” mentioned in sub-paragraph (1)(a) substitute “10”; and

(b) for the figure “15” mentioned in sub-paragraph (1)(b) substitute “10”.

(5) (a) In paragraph 8 (sleeping accommodation) omit sub-paragraph (2)(b); and

(b) at the end of sub-paragraph (3)(e) insert “and the exclusion of light”.

**11.** Paragraph 7(1)(a) and (b) of Schedule 5 to the principal Regulations shall continue to apply to any establishment certified under the Order before the 11<sup>th</sup> November 2009 as if these Regulations had not been made.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 11th November 2009



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

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Categories of Tourist Establishment (Statutory Criteria) Regulations (Northern Ireland) 1992 (“the principal Regulations”) which prescribe the criteria which must be met by an establishment in order for it to be eligible for allocation to one of the 5 categories of tourist establishments established by Article 12(1) of the Tourism (Northern Ireland) Order 1992 (“the Order”).

Regulation 2 makes miscellaneous amendments to Schedule 1 (criteria for hotels) to the principal Regulations. The main changes concern the reduction in dining area size in relation to the number of visitors who may reasonably be expected to use it. There is also the insertion of a new provision that all new establishments certified as hotels under the Order must have not less than 15 double bedrooms all of which must have an ensuite bathroom.

Regulation 3 inserts a savings provision in relation to hotels certified under the Order before 11<sup>th</sup> November 2009.

Regulation 4 amends Schedule 2 (criteria for guest houses) to the principal Regulations. A new provision is inserted that requires all new establishments certified as guest houses under the Order must have not less than 3 double bedrooms all which must be ensuite.

Regulation 5 inserts a savings provision in relation to guest houses certified under the Order before 11<sup>th</sup> November 2009.

Regulation 6 makes amendments to Schedule 3 (criteria for bed and breakfast establishments) to the principal Regulations. A new provision is also inserted that requires all new establishments certified as bed and breakfast establishments under the Order which contain bedrooms for visitors which do not have en suite bathrooms must provide one bathroom for every 6 visitors as well as providing one WC with wash hand basin for every 6 visitors.

Regulation 7 inserts a savings provision in relation to bed and breakfast establishments certified under the Order before 11<sup>th</sup> November 2009.

Regulation 8 amends Schedule 4 (criteria for self-catering establishments) to the principal Regulations. The main change involves the insertion of a new provision requiring all new establishments certified as self-catering establishments under the Order must provide access to laundry facilities.

Regulation 9 inserts a savings provision in relation to self-catering establishments certified under the Order before 11<sup>th</sup> November 2009.

Regulation 10 makes amendments to Schedule 5 (criteria for hostels) to the principal Regulations. A new provision is also inserted that requires all new establishments certified as hostels under the Order to provide one shower or bath for every 10 visitors and to provide one WC for every 10 visitors.

Regulation 11 inserts a savings provision in relation to hostels certified under the Order before 11<sup>th</sup> November 2009.

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