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**CHAPTER 288****HOTELS**

## LIST OF AUTHORISED PAGES

1 – 4 LRO 1/2017

5 – 6 Original

7 – 8 LRO 1/2017

9 – 19 Original

**ARRANGEMENT OF SUBSIDIARY LEGISLATION**

## SECTION 27

Hotels Regulations.



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**CHAPTER 288****HOTELS****HOTELS REGULATIONS**

S.I. 8/1971  
S.I. 2/1979  
S.I. 65/2012

**(SECTION 27)**

*[Commencement, subject to paragraph (b) of the proviso to regulation 12, 1st February, 1971]*

1. These Regulations may be cited as the Hotels Regulations, and, unless the contrary intention appears, shall have effect in respect of every hotel in the Bahama Islands.

Citation and application.

2. In these Regulations —

Interpretation.

“the Act” means the Hotels Act;

“Chief Licensing Inspector” means the officer of the Hotels Licensing Board appointed as such under paragraph 9 of the Schedule to the Act.

3. Every interior part of the structure of every hotel and all the fittings, fixtures, furniture and equipment thereof and all articles and utensils used therein shall be kept clean and in good condition and repair and, in particular, but without prejudice to the generality of the foregoing —

Maintenance of interior of hotels.

(a) every such interior part as aforesaid shall be kept free of insects, termites, rodents and other vermin;

(b) all stairs shall be equipped with soundly constructed and adequate handrails; and

(c) all stairs, corridors and lobbies shall be adequately illuminated.

4. Every exterior part of the structure of every hotel shall be kept clean and in good condition and repair and, in particular, but without prejudice to the generality of the foregoing —

Maintenance of exterior of hotels.

(a) all exterior stairs shall be provided with soundly constructed and adequate handrails;

- (b) all stairs, roads, foot-paths and alley-ways shall be adequately illuminated; and
- (c) all roads, foot-paths and alley-ways shall be kept in good order and condition and free from obstruction and shall be adequately drained.

Maintenance of upholstery, etc.

**5.** In every hotel —

- (a) all upholstery, draperies, shades and blinds in every lobby, lounge, parlour and bedroom;
- (b) all rugs and floor coverings; and
- (c) all mattresses, mattress pads, bedding, linen and pillows,

shall be kept clean and in good condition.

Sleeping rooms.

**6.** (1) No room shall be provided for occupation as a sleeping room unless it is adequately lighted and unless it is ventilated directly from the exterior of the building.

(2) A sleeping room shall not be less than eight feet in width or than eight feet in height.

(3) The floor area of a sleeping room (excluding from such area all shower space, closet space and the space of any foyer or corridor leading to a sleeping room) shall be —

- (a) in the case of a room intended for occupation by one person, not less than eighty square feet;
- (b) in the case of a room intended for occupation by two persons, not less than one hundred and ten square feet; and
- (c) in any other case, not less than such amount as may be allowed by the Board.

China, etc., to be kept clean.

**7.** All china, glassware, tableware and other crockery provided for use by guests in any hotel shall be clean and free from any cracks or chips.

Copies of construction plans to be supplied to Board.

**8.** Where any alteration that is proposed to be done to the structure of any hotel by law requires the sanction or approval of any public officer or authority, the operator of such hotel shall furnish the Board with two copies of any construction plan that is submitted to such officer or authority in support of any application made for the sanction or approval of such alteration.

**9.** (1) Before the first grant or any renewal by the Board of a licence in respect of any premises, there shall be produced to the Board a certificate from the Minister responsible for Building Regulations and also a certificate from the Minister responsible for Public Health that there is no objection to the grant of such licence.

Approval by certain Ministers required in certain cases.

(2) No hotel shall be constructed and no alteration shall be made to the structure of any hotel unless the plans of such construction or alteration shall first have been approved in writing by the Ministers mentioned in paragraph (1) of this regulation; and any construction of, or alteration of the structure of, an hotel shall be carried out in accordance with the plans so approved.

**10.** Where there is a sewage disposal plant in any hotel such plant shall be maintained in good working order.

Sewage disposal plants.

**11.** Garbage pending disposal in any hotel shall be kept in a sealed plastic bag or in a number of such bags or otherwise shall be stored in such manner as to prevent the spread of offensive odours or the attraction of insects.

Garbage.

**12.** The fee for a temporary licence under section 7 of the Act shall be thirty dollars, and the fee for a transfer of a licence under section 9 thereof shall be twenty-five dollars:

Fees.

Provided that —

- (a) no such fee shall be payable as aforesaid in respect of any premises where by virtue of the proviso to subsection (1) of section 15 of the Act an hotel licence fee is not payable under that subsection in respect of those premises; and
- (b) this regulation shall not come into force until the date appointed by the Minister under subsection (2) of the said section 15.

**13.** The operator of every hotel shall keep such books and records (whether for the purpose of complying with this regulation or as forming part of the normal book-keeping arrangements of such hotel) as will clearly show —

Books and records.

- (a) the number of guests provided on any night with sleeping accommodation at such hotel; and

- (b) the amount of hotel guest tax that was due to be paid during any calendar month by the guests accommodated at such hotel, as required by section 16 of the Act.

Duty to prevent fires.

**14.** It shall be the duty of every operator of an hotel to take all reasonable precautions to prevent fire in the hotel and to maintain all fire equipment therein in good working order.

Fire procedure.

**15. (1)** Every operator of an hotel shall publish within the hotel such fire procedures in such manner as the Commissioner of Police may from time to time require prescribing the equipment to be maintained and the measures to be taken by the guests and employees in that hotel in connection with fires.

(2) Every operator of an hotel shall ensure that such employees are instructed in the action required to be taken under such procedures.

(3) No alteration shall be made to the exit layout of, or the fire-fighting equipment in, any hotel or in any fire procedures established pursuant to paragraph (1) of this regulation for such hotel except with the prior approval of the Commissioner of Police.

Logbook.

**16. (1)** There shall be kept in every hotel by the operator thereof a logbook for the entering therein of particulars of every outbreak of fire within that hotel.

(2) Every such entry shall be made and signed by the person at the time in charge of the hotel.

Fire alarm system.

**17. (1)** Every hotel to which this regulation applies shall be equipped with a system for making an alarm of fire. Every such system shall be maintained in good working order and shall be tested not less frequently than once in every month, and every test of such system shall be recorded in the logbook of the hotel.

(2) This regulation applies to any hotel the construction of which commences on or after the 1st day of June, 1971, and to which the Minister responsible for Building Regulations, after consultation with the Commissioner of Police, directs that this regulation shall apply.

**18.** It shall be the duty of every person in an hotel forthwith to report to the management of the hotel every outbreak of fire that he sees or suspects, and it shall be the duty of the person in charge of an hotel forthwith to notify, or cause to be notified, the senior officer of police or the local fire brigade for the district in which the hotel is situate, if there is such a brigade, of every outbreak of fire that takes place in the hotel.

Duty to report fires.

**19.** No person shall without lawful excuse damage, tamper with or remove any fire equipment in an hotel.

Damaging fire equipment.

**20.** (1) Every fire exit in an hotel shall be so arranged and maintained as to provide free and unobstructed egress from all parts of the hotel, and no lock or other fastening shall be installed on any such exit which prevents such egress.

Fire exits.

(2) Every exit and every exit route in an hotel shall be clearly indicated and visible in such manner that persons in the hotel may readily know the direction of escape from any part of the hotel in the event of fire.

**21.** (1) The Forms contained in the Schedule shall be used, and the notes and directions included therein shall be complied with, for the purposes for which they are applicable, but, without prejudice to the generality of the foregoing, the following paragraphs of this regulation shall have effect.

Forms.  
Schedule.

(2) Where the operator of an hotel desires a renewal of his licence under section 6 of the Act he shall make application for the purpose, in the form shown as Form V in the Schedule, so that such form duly completed shall be sent so as to reach the office of the Chief Licensing Inspector not less than sixty days, nor more than ninety days, before the date of expiration of such licence.

(3) The operator of every hotel shall make each month to the Chief Licensing Inspector a return in accordance with the electronic Form X and shall attach to such return a cheque in favour of the Public Treasury for the amount of the hotel guest tax payable in accordance with the requirements of that Form, so that the return shall reach the office of the Chief Licensing Inspector not later than the fifteenth day of the month next following the month to which the return relates.

S.I. 65/2012.

(4) *Repealed.*

S.I. 65/2012.

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(5) There shall be displayed on the back of the entrance door to every bedroom used for the accommodation of guests in any hotel the form set forth as Form XII in the Schedule, and the operator of every hotel shall complete such form, and maintain it accurate and complete, in respect of every such bedroom.

Offences.

22. Where —

- (a) any person contravenes or fails to comply with any of the provisions of regulation 16, 18 or 19 of these Regulations; or
- (b) any of the provisions of any other regulation thereof (except regulation 7 or 8 or 9 or 21(1)) are contravened or are not complied with in respect of any hotel,

then, as respects paragraph (a) of this regulation, the person in question and, as respects paragraph (b) thereof, the operator of the hotel shall be guilty of an offence against these Regulations and, notwithstanding that the Hotels Licensing Board may exercise or have exercised its powers under section 12 of the Act in respect of the default on which the offence is founded, liable, on summary conviction, to a fine not exceeding five hundred dollars.

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**SCHEDULE (Regulation 21)**
**FORM I (Section 4)**
**APPLICATION FOR LICENCE TO OPERATE AN HOTEL  
HOTELS ACT**

(To be submitted in duplicate)

I,<sup>1</sup> ..... of <sup>2</sup> .....  
hereby make application for a licence to operate an hotel to be  
known as the .....  
..... with effect from the .....  
day of ..... 19 .....,  
or the earliest date thereafter <sup>3</sup>, and certify that the following  
information is true and correct —

- (1) Location of hotel premises .....
- (2) Mailing address of hotel .....
- (3) Telephone number of hotel .....
- (4) Name of proprietor .....
- (5) If proprietor is a company, address of registered office  
.....
- (6) If proprietor is a company, name, title and address of  
managing director or chief executive officer of company  
.....
- (7) Maximum number of sleeping rooms to be operated during  
licence period <sup>4</sup>. .....
- (8) Maximum number of guests who can be accommodated  
overnight .....
- (9) The annual licence fee of B\$ ..... <sup>5</sup> is enclosed herewith.  
.....

---

<sup>1</sup> Application is to be made by the operator of the hotel.

<sup>2</sup> Give residential address of operator.

<sup>3</sup> All licences for hotels on New Providence, Paradise Island or Grand Bahama expire each year on 31st December, irrespective of the date of issue. Licences for hotels elsewhere in the Bahama Islands expire each year on 31st March, irrespective of the date of issue.

<sup>4</sup> The maximum number of bedrooms contained in the hotel should be given, whether or not they are used during the whole of the year for the accommodation of guests. For example, if an hotel containing 500 bedrooms normally has 25 rooms closed for renovations at any one time 500 rooms is the correct figure for licensing purposes, not 475. Bedrooms forming part of permanent staff quarters or management quarters do not count as bedrooms for licensing purposes.

<sup>5</sup> The number of sleeping rooms specified in (7) multiplied by B\$3.00. Note that hotels on New Providence or Paradise Island with fewer than 10 bedrooms for the use of guests or equipped with fewer than 20 beds for such use and hotels in any Out Island with fewer than 25 bedrooms or equipped with fewer than 50 beds are exempt from the payment of this fee.

- (10) I certify that I am in possession of a copy of and have read the Hotels Act, and the Regulations made under section 27 thereof, and that the hotel will be operated and maintained according to the requirements of the said Act and Regulations.

..... (Operator) ..... (Date)

### FORM II (Section 7)

#### APPLICATION FOR TEMPORARY LICENCE TO OPERATE AN HOTEL

#### HOTELS ACT

*(To be submitted in duplicate)*

I, <sup>6</sup> ..... of <sup>7</sup> .....  
hereby make application for a temporary licence to operate the <sup>8</sup>  
..... with effect from the ..... day of  
..... 19 ....., or the earliest date thereafter <sup>9</sup>, and  
certify that the following information is true and correct —

- (1) Location of hotel premises .....
- (2) Mailing address of hotel .....
- (3) Telephone number of hotel .....
- (4) Name of proprietor .....
- (5) If proprietor is a company, give address of registered office .....
- (6) If proprietor is a company, name, title and address of managing director or chief executive officer of company .....
- (7) Maximum number, of sleeping rooms to be operated during licence period <sup>10</sup> .....
- (8) Maximum number of guests who can be accommodated overnight .....

<sup>6</sup> Application is to be made by the operator of the hotel.

<sup>7</sup> Give residential address of operator.

<sup>8</sup> Name of establishment.

<sup>9</sup> All temporary licences are valid for a period of 45 days only.

<sup>10</sup> The maximum number of bedrooms contained in the hotel should be given whether or not they are used during the whole of the year for the accommodation of guests. For example, if an hotel containing 500 bedrooms normally has 25 rooms closed for renovations at any one time, 500 rooms is the correct figure for licensing purposes, not 475. Bedrooms forming part of permanent staff quarters or management quarters do not count as bedrooms for licensing purposes.

- (9) Reason for seeking temporary licence .....
- (10) Licence fee of B\$30.00 <sup>11</sup>(f) is enclosed herewith .....
- (11) I certify that I am in possession of a copy of and have read the Hotels Act and the Regulations made under section 27 thereof, and that the hotel will be operated and maintained according to the requirements of the said Act and Regulations.

.....  
(Operator)

.....  
(Date)

### FORM III (Section 4)

#### LICENCE

#### HOTELS ACT

LICENCE NO .....

The Hotels Licensing Board hereby grants this Licence to

.....  
(Operator)

to operate ..... rooms as an hotel known as .....  
(number)

.....  
at .....  
(location and mailing address)

on the island of ..... from the period . .....  
..... to December/March 31,  
(beginning of licence period) 19 .....

Special conditions, if any: .....  
.....  
.....

.....  
(Date)

.....  
(Chief Licensing Inspector.)

*Endorsements*

<sup>11</sup> Hotels or New Providence Or Paradise Island with fewer than 10 bedrooms for the use of guests or equipped with fewer than 20 beds for such use and hotels in any Out Island with fewer than 25 bedrooms or equipped with fewer than 50 beds are exempt from the payment of this fee.

**FORM IV (Section 7)**

## TEMPORARY LICENCE

## HOTELS ACT

LICENCE NO. ....

The Hotels Licensing Board hereby grants this Licence to .....

.....

(Operator)

to operate ..... rooms as an hotel known as .....

(number)

.....

(name of hotel)

situated at .....

(location and mailing address)

on the Island of ..... from the period

..... to .....

(beginning date)

(terminating date)

Special conditions, if any .....

.....

.....

(Date)

.....

(Chief Licensing Inspector)

**FORM V (Section 6; Regulation 21(2))**

## APPLICATION FOR RENEWAL OF LICENCE

## HOTELS ACT

(To be submitted in duplicate)

I, <sup>12</sup> ..... of <sup>13</sup> ..... hereby make  
 application for renewal of Licence No ..... to operate the  
 said hotel with effect from <sup>14</sup> .....  
 The licence fee of B\$ <sup>15</sup> ..... is enclosed herewith.

---

<sup>12</sup> Application is to be made by the operator of the hotel.

<sup>13</sup> Name of hotel.

<sup>14</sup> Date of expiration of current Licence.

<sup>15</sup> The fee payable is the number of sleeping rooms in the hotel at the time the application is made multiplied by B\$3.00, except that hotels on New Providence or Paradise Island with fewer than 10 bedrooms for the use of guests or equipped with fewer than 20 beds for such use and hotels in any Out Island with fewer than 25 bedrooms or equipped with fewer than 50 beds are exempt from the payment of this fee.

I certify that I am in possession of a copy of and have read the Hotels Act and the Regulations made under section 27 thereof and that the 16(b) ..... will be operated and maintained according to the requirements of the said Act and Regulations.

.....

(Date)

.....

(Chief Licensing Inspector.)

### FORM VI (Section 9)

#### APPLICATION FOR TRANSFER OF LICENCE

*(To be submitted in duplicate)*

#### HOTELS ACT

1. Name of hotel .....
2. Location of hotel .....
3. Full name of currently licensed operator .....
4. Full name of transferee .....
5. (a) Description of transferee (company, firm or individual) .....
- (b) If a company state (i) full name of secretary  
.....  
(ii) address of registered office  
.....
- (c) If a firm state particulars of partners .....
6. Name of manager (and address if not resident on premises)  
.....

I/we declare as follows —

- (i) that I/we have acquired the above hotel;
- (ii) that the particulars furnished in the application for the licence of the hotel for the current year are still applicable 17(a);
- (iii) that I/we will carry out all agreements to provide board and lodging in the hotel entered into by the transferor prior to the date of transfer,

and I/we hereby apply for Licence as the operator(s) of the said hotel.

<sup>16</sup> Name of hotel.

<sup>17</sup> If any changes have occurred or will occur, these should be stated.

The transfer fee of B\$25.00 <sup>18</sup> is enclosed herewith.

.....  
(Date) (Signature)

(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.)

### FORM VII (Section 9)

#### APPLICATION FOR TRANSFER OF LICENCE

*(where licensed operator has died)*

*(To be submitted in duplicate)*

#### HOTELS ACT

I, <sup>19</sup> .....  
of <sup>20</sup> .....  
being <sup>21</sup> .....  
of <sup>22</sup> .....  
the licensed operator of <sup>23</sup> .....  
who died on the ..... day of, ..... 19 .....  
hereby apply to be licensed as the licensed operator of the said premises.

I attach as proof of the death of the abovenamed, .....  
..... <sup>24</sup>.

.....  
(Date) (Signature)

<sup>18</sup> Hotels on New Providence or Paradise Island with fewer than 10 bedrooms for the use of guests or equipped with fewer than 20 beds for such use and hotels in any Out Island with fewer than 25 bedrooms or equipped with fewer than 50 beds are exempt from the payment of this fee.

<sup>19</sup> Full name of applicant.

<sup>20</sup> Full address of applicant.

<sup>21</sup> Relation to deceased.

<sup>22</sup> Full name of deceased licensed operator.

<sup>23</sup> Name and address of hotel.

<sup>24</sup> A death certificate or other evidence of death should be attached.

**FORM VIII (Section 12)****NOTICE OF DEFAULT  
HOTELS ACT**

To <sup>25</sup> .....  
 As a result of an inspection made on the .....  
 day of ..... 19 ..... in respect of the <sup>26</sup> .....  
 ....., the Hotels Licensing Board  
 considers that <sup>27</sup> .....  
 This is in contravention of <sup>28</sup> .....  
 .....  
 .....  
 Unless the above default(s) is/are remedied by the ..... day  
 of ..... 19....., at which time a further inspection  
 will be made, your Licence No ..... will be liable to  
 cancellation under section 12(2) of the above Act.

.....  
 (Date)

.....  
 (Chief Licensing Inspector)

**FORM IX (Section 12(2))****NOTICE OF CANCELLATION OF LICENCE  
HOTELS**

To <sup>29</sup> .....  
 On the ..... day of ..... 19 ....., a Notice of  
 Default under section 12(1) of the above Act was sent to you as  
 operator of the <sup>30</sup> ..... notifying you of the default(s)  
 specified in the Notice.  
 As the following default(s) specified in the said Notice has/have  
 not been remedied within the time specified in the said Notice,  
 that is to say,

|                     |             |                     |
|---------------------|-------------|---------------------|
| <sup>31</sup> ..... | contrary to | <sup>32</sup> ..... |
| .....               | contrary to | .....               |
| .....               | contrary to | .....               |
| .....               | contrary to | .....               |

---

<sup>25</sup> Operator of hotel.

<sup>26</sup> Name of hotel.

<sup>27</sup> Default or defaults should be listed.

<sup>28</sup> The provision(s) of the Act or the rule(s) - see section 12(1) of the Hotels Act -  
 contravened should be listed.

<sup>29</sup> Operator of hotel.

<sup>30</sup> Name of hotel.

<sup>31</sup> Default.

<sup>32</sup> Provision of Act or rule contravened.

this Notice serves to inform you that the Hotels Licensing Board has decided to cancel your Licence No ..... to operate the above mentioned Hotel. Your attention is drawn to the provisions of section 13 of the above Act regarding the time this decision may take effect.

.....  
(Date)

.....  
(Chief Licensing Inspector)

### FORM X (Regulation 21(3))

#### MONTHLY RETURN OF HOTEL GUEST TAX

##### HOTELS ACT<sup>33</sup>

HOTEL ..... Licence No .....  
Return for the month of ..... 19.....

GUEST      ROOMNIGHTS      BEDNIGHTS

1. TOTAL

2. COMPLIMENTARY

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |

3. Days open this month .....

4. Roomnights available for sale this month (Days open X rooms available) .....

5. Room Occupancy Total Roomnight .....

Roomnights available

6. Total Receipts as aggregate of room rates for rooms sold during month .....

7. Tax due (3% of total receipts shown in 6 above) .....

Cheque in favour of the Public Treasury in the amount of \$ .....

Tax Due

is enclosed.

Date ..... Signed ..... Operator.

<sup>33</sup> S.I. 2/1979.

**FORM XI (Regulation 21(4))****HOTELS ACT****PART I****HOTEL WINTER RATES RETURN**

To The Chief Licensing Inspector,  
The Hotels Licensing Board.

As operator of the .....  
(name of hotel)

Licence No. .... I hereby state that the rates per  
room listed below will be in effect for the Winter season from  
December ....., 19 ....., to ....., 19.....

|        | SINGLE | DOUBLE | TRIPLE | SUITE | COTTAGE |
|--------|--------|--------|--------|-------|---------|
| E.P.   |        |        |        |       |         |
| C.P.   |        |        |        |       |         |
| M.A.P. |        |        |        |       |         |
| A.P.   |        |        |        |       |         |

Charges for children will be as follows —

.....  
.....  
.....

..... (Date) ..... (Operator)

NOTE: This Form, duly completed, must be returned to the  
Chief Licensing Inspector not later than the .....  
day of ..... 19 .....

**PART II****HOTEL SUMMER RATES RETURN**

To The Chief Licensing Inspector,  
The Hotels Licensing Board.

As operator of the .....  
(name of hotel)

Licence No. .... I hereby state that the rates per  
room listed below will be in effect for the Summer season from  
....., 19 ....., to December ....., 19.....

SINGLE      DOUBLE      TRIPLE      SUITE      COTTAGE

|        |  |  |  |  |  |
|--------|--|--|--|--|--|
| E.P.   |  |  |  |  |  |
| C.P.   |  |  |  |  |  |
| M.A.P. |  |  |  |  |  |
| A.P.   |  |  |  |  |  |

Charges for children will be as follows —

.....  
.....  
.....

.....      .....

(Date)

(Operator)

NOTE: This Form, duly completed, must be returned to the  
Chief Licensing Inspector not later than the .....  
day of ..... 19 .....

**FORM XII (Regulation 21(5))**

## SEASONAL RATES

## HOTELS ACT

## FOR THE INFORMATION OF GUESTS

This Hotel is operated subject to the provisions of the Hotels Act of The Bahama Islands.

The maximum rates that may be charged per day for this room are as follows —

## WINTER SEASON

SINGLE    DOUBLE    TRIPLE    SUITE    COTTAGE

|        |  |  |  |  |  |
|--------|--|--|--|--|--|
| E.P.   |  |  |  |  |  |
| C.P.   |  |  |  |  |  |
| M.A.P. |  |  |  |  |  |
| A.P.   |  |  |  |  |  |

CHILDREN'S RATES .....  
 .....

## SUMMER SEASON

SINGLE    DOUBLE    TRIPLE    SUITE    COTTAGE

|        |  |  |  |  |  |
|--------|--|--|--|--|--|
| E.P.   |  |  |  |  |  |
| C.P.   |  |  |  |  |  |
| M.A.P. |  |  |  |  |  |
| A.P.   |  |  |  |  |  |

CHILDREN'S RATES .....  
 .....

.....

(Date)

.....

(Operator)