



TOURIST ACCOMMODATION REGULATIONS

[Consolidated as at 12 November 2007
on the authority of the Administrator
and in accordance with
the *Enactments Reprinting Act 1980*]

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Tourist Accommodation Regulations

PART 1 — PRELIMINARY

Short title

1. These Regulations may be cited as the *Tourist Accommodation Regulations*.

Other Regulations not affected

2. These Regulations do not affect the application of any other Regulations applicable to a tourist accommodation house.

Interpretation

3. (1) In these Regulations, unless the contrary intention appears —

“Act” means the *Tourist Accommodation Act 1984*;

“capable of being accommodated”, in relation to a guest, means capable of being accommodated in accordance with the instrument of registration;

“common use” means use by a guest and —

(a) a guest from another accommodation unit in the tourist accommodation house; or

(b) the owner or manager of the tourist accommodation house, or an employee, or member of the household, of that owner or manager;

“guest lodge” means a guest lodge, guest house, boarding-house or similar type of establishment;

“manager”, in relation to a tourist accommodation house, means the person who is —

(a) registered as the manager under section 6 of the Act; or

(b) approved by the executive member under section 16 of the Act to manage the tourist accommodation house,

or if there is no manager, the owner, including the persons referred to in subsection 4(3) or 4(4) of the Act, of the tourist accommodation house;

“thing” means an object of any kind (whether or not attached or affixed to a building) and includes —

- (a) a building;
- (b) a part of, including a room or passage in, a building; and
- (c) the grounds or surroundings of a building.

(2) For the purposes of these Regulations, unless the contrary intention appears, words, expressions and provisions contained in these Regulations have the same interpretation, application and effect as they have under the Act.

(3) For the purposes of subsections 5(1) and 5(2) of the Act, “the prescribed date” is 30 November 1984.

Equipment, etc, to be adequate, etc

4. Where these Regulations provide that a particular thing is to be provided or contained in a tourist accommodation house, or is otherwise required in or in relation to a tourist accommodation house, that thing shall be suitable and adequate for the purpose for which it is to be used and, where appropriate, so constructed, arranged, installed or fitted as to be capable of being readily, conveniently and safely used.

Buildings, etc, to be well maintained, etc

5. Where a particular thing forms part of, or is provided or contained in, a tourist accommodation house, whether in pursuance of these Regulations or not, the manager shall ensure that —

- (a) the thing is maintained in good, clean and safe condition;
- (b) where appropriate, the thing is maintained in working order;
- (c) where appropriate, the thing is painted, stained, polished or otherwise treated, at appropriate intervals, according to the nature of the thing and to the circumstances; and
- (d) the thing is cleaned, swept or similarly dealt with, at appropriate intervals, according to the nature of the thing and to the circumstances.

PART 2 — REQUIREMENTS FOR REGISTRATION OF TOURIST ACCOMMODATION HOUSES

Division 1 — General

Area of bedrooms

6. (1) In addition to the minimum requirements under subregulation 6(2), there shall be adequate space in a bedroom for access to doors and beds and other furniture.

(2) A bedroom shall have —

- (a) a ceiling having an average height of not less than 2.4 metres; and
- (b) in respect of the number of guests capable of being accommodated, a minimum floor area, including the area referred to in paragraph 8(2)(d), in accordance with the Table:

TABLE

Number	Minimum floor area of bedroom
one guest	7.4 square metres
two guests	10.2 square metres
three guests	13.9 square metres
and thereafter in increments of 3.00 square metres for each additional guest capable of being accommodated.	

(3) The way out of a bedroom shall not be obstructed.

Beds, etc

7. (1) Except in respect of a child's bed or a cot, the size of —

- (a) a single bed shall be not less than 185 centimetres long by 91 centimetres wide; and
- (b) a double bed shall be not less than 185 centimetres long by 137 centimetres wide.

(1A) A bunk or divan shall not be provided in a tourist accommodation house.

(2) Each bed shall be provided with —

- (a) two sheets; and
- (b) a mattress protector; and
- (c) 2 blankets and a quilt
or
an equivalent doona; and
- (d) pillows covered with pillow protectors and cases (2 pillows per sleeping position).

(3) Where a guest so requests, the manager shall provide such additional blankets or pillows, or both, as are reasonable.

Furniture, etc

8. (1) A bedroom in a tourist accommodation house shall contain —

- (a) a dressing table —
 - (i) with an attached or adjacent mirror with a reflecting area of not less than 0.2 square metres; and
 - (ii) drawers providing drawer space of not less than 40 cm x 40 cm x 10 cm (lined with impervious material) for each guest intended to be supplied with sleeping accommodation in that bedroom; and
- (b) a radio alarm clock easily operable by guests; and
- (c) an adequately lit wall mirror with dimensions of not less than 45 cm x 35 cm, the top edge of which shall be not less than 180 cm above floor level.

(1A) A bedroom in a hotel, guest lodge or homestay shall contain a lined waste container.

(2) For each guest intended to be supplied with sleeping accommodation there shall, in a bedroom, be —

- (a) a bedside table or similar piece of furniture with a top surface dimensions of not less than 30 cm x 30 cm;
- (b) a bed lamp positioned so that it can be readily operated from the sleeping position and providing adequate but not excessive light;
- (c) subject to subregulation 22(2), a chair, stool or equivalent seating; and
- (d) enclosed hanging space with dimensions of not less than 75 cm x 60 cm x 160 cm provided with not less than 4 strong wooden or plastic hangers.

Windows, etc

9. (1) Each bedroom shall have a window with an area not less than one-tenth of the floor area of the room required under regulation 6.

(2) Where a window referred to in subregulation 9(1) is not provided with a screen to prevent the entry of insects, the manager shall provide some other means of insect control.

(3) Each clear window in —

- (a) a bedroom; or
- (b) any other room in which it is necessary or desirable to ensure privacy for guests,

shall be provided with scrim or net type curtains.

Bathrooms for common use

10. (1) The provisions of this Regulation specified in Column 2 of the Table of this regulation apply to the bathrooms specified in Column 1 of the Table to this regulation.

TABLE

Column 1	Column 2
Bathrooms for common use (not including a bathroom in a homestay)	All provisions
Bathrooms for private use (not including a bathroom in an apartment) <u>and</u> Bathrooms in a homestay	Subregulations 10(3), 10(3A), 10(3B), 10(3C), 10(8), 10(10), 10(11), 10(12) (other than paragraph 10(12)(f)), 10(13), 10(15) and 10(16)".
Bathrooms in an apartment	Subregulations 10(3), 10(3A), 10(3B), 10(3C), 10(8), 10(10), 10(11), 10(12) (other than paragraph 10(12)(e) or 10(12)(f)), 10(13), 10(15) and 10(16)

(2) For the purposes of this Regulation, a "bathing facility" means equipment comprising —

- (a) a shower, either in a shower cubicle or over a bath, and a hand-basin;
- (b) hot and cold running water for the shower and for the hand-basin; and
- (c) a curtain or other screen for the shower.

(3) A bathroom shall be provided with a bathing facility.

(3A) A bathing facility —

- (a) shall be enclosed with —
 - (i) walls of an impervious material designed specifically for wet areas; or
 - (ii) a shower screen or curtain which complies with this Regulation, to a height of not less than 1.8 m from the base of the bathing facility; and
- (b) shall have a non slip base; and
- (c) shall be supplied with a soap holder.

(3B) A shower curtain or screen shall —

- (a) be sufficient to prevent the escape of water from the bathing facility;
- (b) in the case of a curtain, be weighted at the bottom; and
- (c) in the case of a screen, be constructed of safety glass or high impact material.

(3C) A bathing facility shall be provided with —

- (a) a reusable cloth bath mat; and
- (b) not less than one towel, hand towel, face washer and bar of soap for each guest using the bathroom.

(4) Subject to subregulation 10(5), a tourist accommodation house shall have at least one bathing facility for each 10 guests capable of being accommodated at the tourist accommodation house, other than guests accommodated in a bedroom having its own bathing and sanitary facilities.

(5) At least one bathroom shall be set aside for the use of males and at least one for the use of females.

(6) Each bathroom shall be situated conveniently to guests' bedrooms and shall be capable of being entered from within the tourist accommodation house.

(7) The external door of a bathroom shall be clearly marked to show by which sex the bathroom is intended to be used.

(8) If a bathroom is provided with a shower, the bathroom shall be so constructed or fitted that towels and clothing may be placed in a position where they will not become wet by water from the shower.

(9) A shower cubicle in a bathroom for common use and the area adjacent to the cubicle shall be —

- (a) provided with a soap-holder, at least 2 coat hooks and a seat; and
- (b) so arranged that a guest may dress in privacy.

(10) A bathroom shall be provided with a shelf for toilet articles above or adjacent to the hand-basin.

(11) A bathroom shall be provided with a mirror with dimensions of not less than 60 cm x 45 cm above or adjacent to the hand-basin and with a light fixed at a convenient height above or adjacent to the mirror.

(12) A bathroom shall be provided with —

- (a) a power point adjacent to the mirror;
- (b) a towel rail;
- (c) not less than 2 coat hooks;
- (d) a waste container that is washable and capable of being closed;
- (e) soap; and
- (f) either paper towels or paper towelling or a hot-air dryer.

(13) The floor of a bathroom shall —

- (a) not be painted;
- (b) be capable of being readily cleaned;
- (c) not be slippery when wet; and
- (d) be made of impervious material.

(14) A bathroom shall open either from a passage or from an area opening from a passage.

(15) Each bathroom and an area (if any) from which it opens shall be constructed or arranged to —

- (a) ensure privacy; and
- (b) be capable of being cleaned.

(16) The walls of a bathroom shall extend from the floor to the ceiling.

....

Sanitary facilities for common use

12. (1) The provisions of this Regulation specified in Column 2 of the Table of this regulation apply to the sanitary facilities specified in Column 1 of the Table to this regulation.

TABLE

Column 1	Column 2
Sanitary facilities (not including a sanitary facility in a homestay)	All provisions
Sanitary facilities for private use (not including a sanitary facility in an apartment) and Sanitary facilities in a homestay	Subregulations 12(5), 12(6), 12(7), 12(9), 12(10) and 12(13)
Sanitary facilities in an apartment	Subregulations 12(5) (other than paragraph 12(5)(a)), 12(6), 12(7), 12(9), paragraph 12(10)(a) and subregulation 12(13)

(2) There shall be provided at a tourist accommodation house in respect of each 10 guests capable of being accommodated in rooms without private facilities at least one separate toilet for the use of males and one for the use of females.

(3) A toilet shall be —

- (a) conveniently situated in relation to the guests' bedrooms;
- (b) be capable of being entered from within the tourist accommodation house; and
- (c) be constructed or arranged to ensure privacy.

(4) A toilet shall be clearly marked on the outside to show by which sex it is intended to be used.

(5) A toilet shall be provided, in a convenient position, with —

- (a) toilet paper;
- (b) a toilet paper dispenser;
- (c) a toilet cleaning brush and toilet pan cleanser;
- (d) a coat hook; and
- (e) a waste container that is washable and capable of being closed.

(6) The floor of a toilet shall comply with the requirements set out in subregulation 10(13).

(7) The external walls of a toilet shall extend from the floor to the ceiling and be capable of being readily cleaned.

(8) A toilet shall not be situated in a bathroom.

(9) A toilet shall be provided with a pan that is—

- (a) capable of being flushed with water;
- (b) provided with a hinged seat and lid; and
- (c) capable of being readily cleaned.

(10) There shall be provided near a toilet—

- (a) a hand-basin provided with hot and cold running water;
- (b) soap; and
- (c) either paper towels or paper towelling or a hot-air dryer.

(11) A toilet shall open either from a passage or from an area opening from a passage.

(12) Where a number of toilets are contained within a single area, each toilet shall have partitions or walls that—

- (a) are of material that is rigid and ensures privacy; and
- (b) either extend from floor to ceiling or commence at a height not greater than 200 millimetres above the floor and extend at least 2 metres above the floor.

(13) A toilet shall be ventilated—

- (a) by means of openings in the external walls of the building; or
- (b) by mechanical means.

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Identification, etc

14. Each accommodation unit shall have—

- (a) a number or name affixed to the door or adjacent to it in a position that clearly identifies the accommodation unit;
- (b) locks on each external door or window;
- (c) inside and outside lights;
- (d) power points;
- (e) at least one ashtray;
- (f) drinking vessels in number at least equal to the number of guests for whom accommodation is provided therein; and
- (g) a compendium containing not less than the following information—
 - (i) the check out time; and
 - (ii) a contact telephone number where the owner or manager, or an agent of the owner or manager, can be contacted at any hour of the day; and
 - (iii) details of the services and facilities provided to guests by the tourist accommodation house.

Services generally

15. (1) The manager shall ensure that after the departure from an accommodation unit of a guest and before the occupation by another guest —

- (a) the accommodation unit is thoroughly cleaned; and
- (b) the linen is removed and replaced with clean bed linen, bathroom linen and kitchen linen.

(2) In addition to the requirements of subregulation 15(1), whilst an accommodation unit is occupied, clean bedroom and bathroom linen shall be provided at least once in every three days.

(3) Where a guest so requests, the manager shall provide such additional bathroom linen as is reasonable.

(4) The owner or manager, or an agent of the owner or manager, shall at all times be *readily accessible* at a tourist accommodation house to each guest at the tourist accommodation house.

Provision for emergencies

16. (1) Subject to subregulation 16(2) a tourist accommodation house shall be provided with fire prevention, extinguishing, detection and evacuation equipment in accordance with —

- (a) the *Building Act 1996*; and
- (b) any applicable standard of the Standards Association of Australia in force and approved by the said Standards Association as at the 31st day of August 2000 or such later date as the executive member may determine by instrument in writing published in the Gazette.

(2) As a minimum requirement, Fire Detection equipment shall consist of a smoke alarm device positioned so as to protect any bedroom, sleeping quarters, restaurant, bar, laundry, or conference room of a flat, unit, house or other building used as, attached to, or forming part of the facilities of a tourist accommodation house and such device shall —

- (a) be of a variety, make, or model approved by the executive member or the delegate of the executive member which complies with paragraph 16(1)(b); and
- (b) be a properly installed hard wired smoke alarm, having its primary power source permanently connected to the mains electrical power connected to the tourist accommodation house; and
- (c) have back up batteries of either lithium or nickel cadmium (nicad) which cannot be removed or tampered with other than by removing the entire device from its installation site.

(3) It is the responsibility of the owner or owners of a tourist accommodation house to ensure that if fire detection equipment installed at a tourist accommodation house detects a fire, the Administration Fire Service shall be immediately notified by telephone call to the emergency telephone number 955, and that approved evacuation procedures are followed.

(4) Fire protection, fire detection, and evacuation equipment and procedures shall be maintained and inspected in accordance with any applicable standard of the Standards Association of Australia referred to in paragraph 16(1)(b).

(5) Notice of—

- (a) emergency evacuation procedures approved by the executive member; and
- (b) contact numbers for the Police, Fire Service and Ambulance Service, shall be clearly displayed in a prominent position in each accommodation unit, flat, house, or other building used for tourist accommodation.

(6) The executive member may delegate a function under this regulation to a person by instrument in writing.

(7) The owner of the tourist accommodation house shall ensure that each unit within the tourist accommodation house complies with subregulations 16(1), 16(2) and 16(5) by 1 January 2003.

Telephones

16A. Each accommodation unit in a tourist accommodation house shall be provided with—

- (a) a telephone providing local call access; and
- (b) a current Norfolk Island telephone directory.

Car parking

16B. Each accommodation unit in a tourist accommodation house shall be provided with a car parking space conveniently situated in relation to the accommodation unit.

Laundry facilities

16C. Guests at a tourist accommodation house shall have access to a laundry provided with a washing machine, wash tub, ironing board and iron.

Division 2 — Additional requirements for hotels and guest lodges

Application of this Division

17. (1) This Division applies to hotels and guest lodges.

(2) This Division prevails to the extent that it is inconsistent with Division 1.

Kitchen, dining room, etc

18. (1) A hotel or guest lodge shall contain at least one kitchen.

(2) A hotel or guest lodge shall—

- (a) contain at least one dining room;
- (b) have available dining room furniture, including not less than a number of seats equal to the number of guests capable of being accommodated; and
- (c) have available for guests not less than 1 meal each day.

(3) Where the dining room windows are not provided with screens to prevent the entry of insects, the manager shall provide some other means of insect control.

(4) Kitchen facilities must be available for use by a guest in a guest lodge at times when meals are not available to the guest from the guest lodge.

Lounge room

19. A hotel or guest lodge shall contain for common use for guests lounge accommodation with furniture including not less than a number of seats equal to 50% of the number of guests capable of being accommodated.

Other facilities

19A. (1) Each accommodation unit in a hotel or guest lodge shall be provided with —

- (a) an electric kettle;
- (b) two tea towels;
- (c) a water jug; and
- (d) for each guest intended to be supplied with sleeping accommodation in the accommodation unit —
 - (i) a cup, saucer, teaspoon and drinking glass; and
 - (ii) a sufficient supply of coffee, tea, sugar and milk.

(2) Each accommodation unit in a hotel or guest lodge shall be provided with a refrigerator with a freezing compartment.

Bathrooms and sanitary facilities

19B. Guests at a guest lodge shall be provided with a bathroom and sanitary facility that is not shared with the owner or manager of the guest lodge, or an employee, or member of the household, of that owner or manager.

Additional services in hotels

20. In addition to the services specified in regulation 15, the services provided in each accommodation unit in a hotel or guest lodge shall include —

- (a) the making of beds; and
- (b) the cleaning of rooms,

on each day during which the accommodation unit is occupied.

*Division 3 — Additional requirements for apartments***Application of this Division**

21. (1) This Division applies to apartments.

(1A) This Division prevails to the extent that it is inconsistent with Division 1.

(2) In this Division, unless the contrary intention appears —

“apartment” includes a studio apartment;

“studio apartment” means an apartment that consists of one room being a bedroom in which facilities are provided for cooking, eating and sitting.

Bedrooms

22. (1) Subject to subregulations 22(2) and 22(3), regulations 6, 7, 8 and 9 apply to a bedroom in an apartment.

(2) Where there is in an apartment a lounge-room in addition to a bedroom, paragraph 8(2)(c) does not apply.

(3) The Table in regulation 6 does not apply to a studio apartment and the following Table applies:

TABLE

Number	Minimum floor area of studio apartment
one guest	10 square metres
and thereafter in increments of 3.7 square metres for each additional guest capable of being accommodated.	

Bathrooms and sanitary facilities

23.

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(3) An apartment shall be provided, on the arrival of each guest, with soap and toilet paper.

Cooking and meals for guests

24. Where in an apartment, other than a studio apartment, it is intended that guests provide their own meals, the apartment shall contain, in addition to any other requirements in accordance with these Regulations —

- (a) an area of 3.7 square metres for each guest capable of being accommodated; and
- (b) those things that are necessary for cooking, preparing and serving meals, which shall include the things set out in Schedule 2; and
- (c) not less than 1 square metre of lined or sealed cupboard or shelf space for food storage,

and shall provide adequate ventilation to allow for cooking.

Rubbish container

25. There shall be provided in an area adjacent to an apartment a rubbish container with a fitted lid and a plastic liner.

Lounge facilities

25AA. An apartment shall contain lounge seating for each guest intended to be supplied with sleeping accommodation in the apartment.

Division 4 — Additional requirements for homestays

Application of Division 4

25AB. (1) This Division applies to homestays.

(2) This Division prevails to the extent that it is inconsistent with the other provisions of these Regulations.

General

25AC. (1) Only one homestay may be registered in respect of a particular private residence.

- (2) A homestay shall not contain more than 2 accommodation units.
- (3) A maximum of 4 guests may be accommodated at a homestay.

Common areas

25AD. (1) Guests accommodated at a homestay shall have access between the hours of 6.30 am and 10 pm on each day to the following areas of the private residence in respect of which the homestay is registered—

- (a) kitchen;
- (b) dining area;
- (c) lounge room;
- (d) laundry; and
- (e) grounds,

and all such areas shall be clean and well maintained.

Services

25AE. The following services must be offered to guests accommodated at a homestay—

- (a) not less than one meal per day shared with residents of the homestay; and
- (b) cultural and social interaction with the residents of the homestay.

Bathrooms and sanitary facilities

25AF. Guests accommodated at a homestay shall be provided with a bathroom and sanitary facility that is not shared with the owner or manager of the homestay, or an employee, or member of the household, of that owner or manager.

PART 3 — REGISTRATION AND GRADING

Prescribed application forms

25A. For the purposes of paragraphs 9(aa), 9A(aa), 10(aa) and 11(aa) of the Act the following forms are prescribed—

- (a) in respect of a tourist accommodation house that at the time of application is registered under section 7 of the Act - Form 1 in Schedule 4; and
- (b) in respect of a tourist accommodation house that at the time of application is not registered under section 7 of the Act - Form 2 in Schedule 4.

Prescribed form for transfer of Registration

25B. For the purpose of subsection 15A(2A) the form in Schedule 5 is the prescribed form.

Extension of conditional registration and calculation of fee

25C. (1) Registration of a tourist accommodation house under subsection 7(4A) of the Act may be extended by the executive member for a further period ending on the next following 31 July —

- (a) provided that the relevant fee prescribed in regulation 25B is paid; and
- (b) upon application for the renewal or extension of the registration being made within 30 days of the date upon which the current registration expires; and
- (c) provided the registration was current during the period ending 31 July immediately before the application was made; and
- (d) subject to such further or varied conditions as the executive member may impose at the time of extension.

(2) The fee outlined in regulation 25B may be adjusted on a pro-rata basis for registrations granted after the 31 July in any year provided that no fee shall be refunded by virtue of a cancellation or termination of the registration, for whatever reason.

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Certificate of registration

27. (1) On registration of a tourist accommodation house under section 7 of the Act the executive member shall provide to the manager a certificate of registration in accordance with Form 1 in Schedule 1.

(2) The manager shall —

- (a) subject to paragraph 27(2)(b), display at all times Part 1 of the certificate of registration in a conspicuous place in the tourist accommodation house; and
- (b) have readily available Part 2 of the certificate for inspection at all reasonable times on request by a person.

(3) For the purposes of this Regulation, Part 2 of the certificate of registration is deemed to be the instrument of registration referred to in section 13 of the Act.

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Limitation on ex gratia payments

27A. For the purposes of the paragraph 8(4)(b) of the *Tourist Accommodation (Registration and Quota) Amendment Act 2001* an ex gratia payment for out of pocket expenses shall not exceed the amount of \$10,000.

Copy of Regulations

28. The manager shall have readily available a copy of these Regulations for inspection at all reasonable times on request by a guest in the tourist accommodation house.

Grading

29.

(3) A person appointed under subsection 31A(4) of the Act for the purposes of grading registered tourist accommodation houses has, for those purposes, the power to inspect a tourist accommodation house during the hours of daylight, but not so as to interfere unreasonably with the privacy of a person who is a guest in, or is, otherwise than as a guest, residing in, the tourist accommodation house.

Grading system

30. (1) The grading of a registered tourist accommodation house shall be in accordance with the table set out in Schedule 3.

(3) The grading system does not apply to the area marked for staff accommodation or amenities referred to in regulation 34.

Guest register

31. (1) The manager shall keep a register of guests which shall comprise an entry, in respect of each separate party of guests, containing —

- (a) particulars of —
 - (i) the name and address;
 - (ii) the number in the party;
 - (iii) the date of arrival and date of departure; and
 - (iv) the number or name referred to in paragraph 14(1)(a) of the accommodation unit in which the party is accommodated; and
- (b) the signature of the person registering the party.

(2) The manager shall maintain and keep up-to-date the register referred to in subregulation 31(1) and shall have it readily available for inspection at all reasonable times on request.

Keys

32. The manager shall retain the master key to each apartment or room that requires a key in accordance with these Regulations and shall provide to a guest a duplicate key to the apartment or room occupied by that guest.

Contagious diseases

33. (1) Where it comes to the knowledge of the manager that a guest is suffering from a contagious disease within the meaning of the *Contagious Diseases Act 1957*, he shall immediately notify the Government Medical Officer and take steps to ensure that —

- (a) the guest is isolated from other persons; and
- (b) all things that have been used by the guest are kept separate from other things until, in accordance with subregulation 33(2), they have been cleaned or disinfected.

(2) The Government Medical Officer may give directions to a manager relating to —

- (a) the isolation in or removal from a tourist accommodation house of a guest who is found to be suffering from a contagious disease;
- (b) the cleaning or disinfecting of a tourist accommodation house or an apartment or a room or any thing used by the guest; or
- (c) any measure necessary for the prevention or eradication of a contagious disease or infection or otherwise for the maintenance of health,

and the manager shall comply with a direction of the Government Medical Officer.

Staff accommodation

34. An area that is reserved for the accommodation or amenities of the staff of a tourist accommodation house shall be clearly marked.

General penalty

35. A person who contravenes or fails to comply with these Regulations is guilty of an offence and, where no other penalty is provided, is liable, on conviction, to a penalty not exceeding \$500.

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Forms

37. For the purposes of the Act or Regulations the following forms may be used for a purpose —

- (a) the form approved by the executive member for the purpose; or
- (b) if there is no form approved for the purpose by the executive member, the form provided by the Administration for the purpose.



Schedule 1

Form 1

Regulation 27

Tourist Accommodation Act 1984

Certificate of Registration

PART 1

No.

Expires 31 July 20....

[NAME OF TOURIST ACCOMMODATION HOUSE]

situated on [portion number and name of road], Norfolk Island, is registered as a tourist accommodation house and is classified as

[CLASSIFICATION TYPE]

within the meaning of section 4 of the Act.

This tourist accommodation house is registered in accordance with the Act and is registered to operate a maximum number of

[NUMBER OF UNITS]

To accommodate a maximum number of

[NUMBER OF GUESTS]

Dated thisday of 20.....

Executive Member

Instrument of Registration**PART 2**

No.

Expires 31 July 20....

[Name of tourist accommodation house]

[Accommodation Classification]

Common Rooms For Public Use

Description of Room	Details

Rooms For Staff Use Only

Description of Room

Description of Each Unit

Unit Number or Name	Number Of Lounges	Number Of Bathrooms	Any Other Rooms	Bedroom Number, Name or Description	Bedroom Measurements	Maximum No. of persons permitted per bedroom	Maximum No. of persons permitted per unit

MAXIMUM AMOUNT OF GUESTS MUST NOT EXCEED [NUMBER] AT ANY ONE GIVEN TIME

Conditions to which this registration is subject
1. Compliance with <i>Tourist Accommodation Act 1984</i> , the <i>Tourist Accommodation (Ownership) Act 1989</i> and the <i>Tourist Accommodation Regulations 1984</i>
2. The manager of the tourist accommodation house shall not permit the tourist accommodation house to be used otherwise than in accordance with the instrument of registration.

Dated this day of 20.....

Executive Member

SCHEDULE 2

MINIMUM REQUIREMENTS IN APARTMENT FOR COOKING, ETC, FOR GUESTS

Paragraph 24(b)

Item

- 1 2-burner cooking top with griller and an electric frypan; or 2-burner stove with an oven and a baking dish
- 2 refrigerator with a capacity of not less than 120 litres
- 3 stainless steel sink with bench space and draining board supplied with hot and cold running water
- 4 2 power outlets in cooking area
- 5 1 kettle; or 1 electric jug
- 6 1 electric toaster
- 7 2 teatowels
- 8 1 container for kitchen waste
- 9 cooking utensils which shall include —
 - (a) a set of 3 saucepans with lids;
 - (b) 1 frying pan;
 - (c) 2 mixing bowls;
 - (d) 1 tea pot;
 - (e) 1 sugar bowl;
 - (f) 1 milk jug;
 - (g) 1 egg slice;
 - (h) 2 serving spoons;
 - (i) 1 egg whisk;
 - (k) 1 vegetable knife or peeler;
 - (m) 1 kitchen knife; and
 - (n) 1 tin opener with corkscrew
 - (o) if a microwave oven is provided, a set of microwave cookware
- 10 space for food preparation and storage
- 11 cleaning implements including —
 - (a) 1 broom;
 - (b) 1 dust pan and brush;
 - (c) 1 dish mop, brush or cloth; and
 - (d) cleaning compounds
- 12 1 box of matches
- 13 1 dining table or equivalent

The following items shall be provided in number equal to the number of guests capable of being accommodated in the apartment -

- 14 1 setting of cutlery and 1 setting of crockery (which shall match the other cutlery and crockery provided)
- 15 a seat at the dining table referred to in item 13
- 16 in respect of each guest arrival, 1 individual packet of tea, coffee, milk and sugar

SCHEDULE 3
SYSTEM OF GRADING

Subregulation 30(1)

Item

1. Subject to item 2, the grade of a tourist accommodation house —
 - (a) in respect of a self-catering apartment or unit, group of apartments or units, cottage, house or similar type of establishment — Table A; and
 - (b) in respect of a hotel — Table B; and
 - (c) in respect of a guest lodge, guest house, bed and breakfast — Table C.
2. If a tourist accommodation house is not of a standard sufficient to satisfy the description denoted by one star symbol in the relevant Table, the grade of the tourist accommodation house is to be denoted by the words “classification withheld”.
3. For the purposes of items 1 and 2, the relevant Table is —
 - (a) in respect of an apartment - Table A; and
 - (b) in respect of a hotel, or in respect of a guest lodge, guest house, boarding-house or similar type of establishment - Table B.

TABLE A

Apartments - Self Catering (includes Units, Cottages, Houses)



Clean basic accommodation with simple furnishings and facilities.



Moderate accommodation with comfortable furnishings and facilities.



Well appointed establishments offering good comfortable accommodation and facilities.



Excellent quality accommodation, furnishings and facilities.



International quality appointments, furnishings and decor with an extensive range of first class guest services and facilities. A benchmark under the applicable rating criteria.



The additional half STAR indicates establishments offering similar standard to the appropriate full STAR rating, but offering more comfort by providing additional features and items.

TABLE B

Hotel



Establishments offering a basic standard of accommodation. Simply furnished. Resident manager.



Well maintained establishments offering an average standard of accommodation with average furnishings, bedding, and floor coverings.



Well appointed establishments offering a comfortable standard of accommodation, with above average furnishings and floor coverings.



Exceptionally well appointed establishments with a high level of facilities, plus quality furnishings, offering a high degree of comfort. High standard of presentation and guest services provided.



International standard establishments offering a high degree of facilities, out-standing appointments, furnishings and decor with an extensive range of first class guest services. A number and variety of room styles and/or suites available. Choice of dining facilities, 24-hour room service, housekeeping and valet parking. Porterage and concierge services available as well as a dedicated business centre and conference facilities.



The additional half STAR indicates establishments offering similar standard to the appropriate full STAR rating, but offering more comfort by providing additional features and items.

TABLE C
Guest Lodge/Guest House/Bed and Breakfast



Clean basic accommodation with simple furnishings and facilities.



Moderate accommodation with comfortable furnishings and facilities.



Well appointed establishments offering good comfortable accommodation and facilities.



Excellent quality accommodation, furnishings and facilities. Must provide either individual or ensuite facilities for each bedroom.



International quality appointments, furnishings and decor with an extensive range of first class guest services and facilities. Provision of ensuites to all bedrooms plus the communal areas and bedroom must contain an alternative to air-conditioning.



The additional half STAR indicates establishments offering similar standard to the appropriate full STAR rating, but providing more facilities and features for the guest.

4. Where the number or star symbol referred to in item 1(b) is displayed or advertised in respect of a tourist accommodation house, a reference to that particular tourist accommodation house's applicable accommodation category must also be displayed.
5. For the purpose of item 4, the applicable accommodation category must be in accordance with the tourist accommodation house's registration and must provide a reference to one of the following —
 - (a) in respect of a self-catering/self-contained tourist accommodation house, the reference displayed must refer to one of the following — apartment, apartments, unit, units, cottage, cottages or house;
 - (b) in respect of a hotel or motel, the reference displayed must refer to either hotel or motel.
 - (c) in respect of a guest lodge/guest house/bed and breakfast the reference displayed must refer to one of the following — guest house, guest lodge or bed and breakfast.



Schedule 4

Form 1

Regulation 25A

TOURIST ACCOMMODATION ACT 1984

APPLICATION FOR RENEWAL OF REGISTRATION OF A TOURIST ACCOMMODATION HOUSE

To: The Executive Member,

I/We.¹

Full name(s) of owner/s

of

Residential address

being the owner, hereby apply to renew the registration of the following tourist accommodation house

.....
Name of applicable tourist accommodation house

on portion(s) no. of

Name of road

In support of my application I provide the following information –

1. Details of all persons (including any corporate bodies), who have an interest in the land, buildings or other improvements to the land, upon and in which the tourist accommodation unit will be conducted, whether or not such interest is of a legal or equitable nature.

.....
.....

(Please tick if documentation attached) Documentation attached

The share or shares in which each person or corporate body has an interest, and in the case of a corporate body or trust, the names, shareholdings, and addresses of each director, office holder and shareholder, trustee or beneficiary, and a copy of the memorandum and articles of association of the corporate body or trust deed.

.....
.....

(Please tick if documentation attached) Documentation Attached

¹ Where the owner is not a natural person, state the address of the registered office (in the case of a company) or address for service of notices (in the case of a partnership or other body) and provide detailed information in relation to company including directors, shareholders, voting procedures, management structure.

2. Do any of the owners of tourist accommodation have an interest, whether or not such interest is of a legal or equitable nature, in any other tourist accommodation house other than the tourist accommodation house referred to in this application?

(Please tick) Yes No

If yes, provide details of the relevant accommodation house(s) and the interest of the owner/s in that tourist accommodation house.

.....
.....

(Please tick if documentation attached) Documentation attached

3. Have any of the owners of the tourist accommodation house Yes No been convicted of an offence in Norfolk Island or elsewhere?

If yes, please provide details of the convictions.

.....

(Please tick if documentation attached) Documentation attached

The executive member responsible for tourism is entitled to have regard to other factors, as prescribed by subsection 7(8) of the *Tourist Accommodation Act 1984*, in determining whether the applicant(s) is a fit and proper person to be the owner of a tourist accommodation.

4. Is the tourist accommodation house currently registered under Yes No the *Tourist Accommodation Act 1984*?

5. What is the classification of the tourist accommodation house? **(Please tick)**

Self-Contained Apartment(s) Guest House/Lodge Hotel Homestay

6. The total number of accommodation units in the tourist accommodation house is units.
Please ensure that each of these accommodation units is described in the attached Schedule.

7. The maximum number of guests intended to be supplied with sleeping accommodation is guests.

8. Contact and postal details for the tourist accommodation house are:

P.O. Box no. **E-mail:**

Norfolk Island:

Telephone no. **Facsimile no.**

9. Does the tourist accommodation house have Public Liability Insurance (\$5 million minimum)?

Yes Copy of the public liability insurance policy is attached.

No If no, please explain why there is no public liability insurance for the tourist accommodation house.

.....

I hereby declare that the tourist accommodation house complies with, and will continue to comply with, the *Tourist Accommodation Act 1984*, the *Tourist Accommodation Regulations 1984* and the *Tourist Accommodation (Ownership) Act 1989*.

Dated this day of 20....

Signature.²

Please Note: You are reminded of your obligation under the *Tourist Accommodation Act 1984* to provide details of any change in circumstance including ownership, management, company structure if applicable, immigration status including shareholder(s).

Under section 30 of the *Tourist Accommodation Act 1984* it is an offence to make a false or misleading statement. Penalty: 20 penalty units.

² Where the owner is not a natural person, a person authorised in writing by the owner should sign. A copy of the authorisation should be attached.

COMMON ROOMS FOR PUBLIC USE

ROOM NAME	ROOM USAGE (Description)

COMMON ROOMS FOR STAFF USE ONLY

<i>DESCRIPTION OF ROOM NAME</i>

DESCRIPTION OF EACH UNIT



Schedule 4

Form 2

Regulation 25A

TOURIST ACCOMMODATION ACT 1984
APPLICATION FOR REGISTRATION OF A TOURIST
ACCOMMODATION HOUSE

To: The Executive Member,

I/We.¹

Full name(s) owner/s

of

Residential address

being the owner, hereby apply to register the following tourist accommodation house

.....
Name of applicable tourist accommodation house

on portion(s) no. of

Name of road

1. What is the classification of the tourist accommodation house? (***Please tick***)

Self-Contained Apartment(s) Guest House/Lodge Hotel Homestay

2. Does the tourist accommodation house hold a quota position?

(***Please tick***) Yes No

3. The tourist accommodation house holds a quota position for a total of units, intended to accommodate a maximum amount of guests.

4. The total amount of units now ready for a registration inspection is units, intended to accommodate a maximum amount of guests.

5. Please ensure that each of these accommodation units is described in the attached Schedule.

6. Have you reviewed the checklist (available from the Tourism Officer) to ensure that these units comply with the prescribed requirements of the *Tourist Accommodation Regulations 1984*?

(***Please tick***) Yes No

¹ Where the owner is not a natural person, state the address of the registered office (in the case of a company) or address for service of notices (in the case of a partnership or other body) and provide detailed information in relation to company including directors, shareholders, voting procedures, management structure.

7. Have you obtained a copy of the *Tourist Accommodation Regulations 1984*?

(Please tick) Yes No

8. Have you given 5 working days prior notice for your registration inspection?

(Please tick) Yes No

9. Requested date of registration inspection: Requested time:

10. The following Norfolk Island Administration departments have inspected the units and they meet the satisfaction of that department: A copy of the department's inspection sheet is attached to this application:

Building Inspector (Please tick) Yes No Documentation attached

Electricity (Please tick) Yes No Documentation attached

Emergency Services (Please tick) Yes No Documentation attached

In support of my application I provide the following information –

11. Details of all persons (including any corporate bodies), who have an interest in the land, buildings or other improvements to the land, upon and in which the tourist accommodation unit will be conducted, whether or not such interest is of a legal or equitable nature.

..... (Please tick)
 Documentation attached

The share or shares in which each person or corporate body has an interest, and in the case of a corporate body or trust, the names, shareholdings, and addresses of each Director, office holder and shareholder, trustee or beneficiary, and a copy of the memorandum and articles of association of the corporate body or trust deed.

.....
.....
(Please tick if documentation attached) Documentation attached

12. Do any of the owners of tourist accommodation have an interest, whether or not such interest is of a legal or equitable nature, in any other tourist accommodation house other than the tourist accommodation house referred to in this application?

(Please tick) Yes No

If yes, provide details of the relevant accommodation house(s) and the interest of the owner/s in that tourist accommodation house.

.....
.....
(Please tick if documentation attached) Documentation attached

13. Have any of the owners of the tourist accommodation house been convicted of an offence in Norfolk Island or elsewhere?

(Please tick) Yes No

If yes, please provide details of the convictions:

.....

(Please tick if documentation attached) Documentation attached

The executive member responsible for tourism is entitled to have regard to other factors, as prescribed by subsection 7(8) of the Tourist Accommodation Act 1984, in determining whether the applicant(s) is a fit and proper person to be the owner of a tourist accommodation.

14. Contact and postal details for the tourist accommodation house are:

P.O. Box no. E-mail:

Norfolk Island:

Telephone no. Facsimile no.

15. Does the tourist accommodation house have Public Liability Insurance (\$5 million minimum)?

Yes Copy of the public liability insurance policy is attached.

No If no, please explain why there is no public liability insurance for the tourist accommodation house.

.....

I hereby declare that the tourist accommodation house complies with, and will continue to comply with, the *Tourist Accommodation Act 1984*, the *Tourist Accommodation Regulations 1984* and the *Tourist Accommodation (Ownership) Act 1989*.

Dated this day of 20.....

*Signature*²

Please Note: You are reminded of your obligation under the *Tourist Accommodation Act 1984* to provide details of any change in circumstance including ownership, management, company structure if applicable, immigration status including shareholder(s). Under section 30 of the *Tourist Accommodation Act 1984* it is an offence to make a false or misleading statement. Penalty: 20 penalty units.

² Where the owner is not a natural person, a person authorised in writing by the owner should sign. A copy of the authorisation should be attached.

COMMON ROOMS FOR PUBLIC USE

ROOM NAME	ROOM USAGE (Description)

COMMON ROOMS FOR STAFF USE ONLY

<i>DESCRIPTION OF ROOM NAME</i>

DESCRIPTION OF EACH UNIT

Schedule 5
TOURIST ACCOMMODATION ACT 1984

APPLICATION FOR TRANSFER OF REGISTRATION

To: The Executive Member,

I/We

¹

Full name(s) of applicant(s)

of
Residential address

being the proposed owner(s), hereby apply to transfer the registration of a total of
 unit(s) from the tourist accommodation house known as.....,
 situated on portion(s) no. of
(name of road)

to portion(s) no. of
(name of road)

1. Have you sought advice from the Administration's Planning Section in respect of the proposed transfer?

(Please tick) Yes No

If yes, please provide details of the advice you received.

.....

2. What is the proposed classification of the tourist accommodation house/unit(s) if transferred?

(Please tick) Self-Contained Cottage/Apartment(s) Guest House/Lodge
 Hotel Homestay

¹ Where the owner is not a natural person, state the address of the registered office (in the case of a company) or address for service of notices (in the case of a partnership or other body) and provide detailed information in relation to company including directors, shareholders, voting procedures, management structure.

3. What is the proposed name of the tourist accommodation house/unit(s) if transferred?

4. Please ensure that each of the proposed accommodation units, if transferred, is described in the attached Schedule.

5. Have you obtained a copy of the Tourist Accommodation Regulations? (*Please tick* Yes No)

In support of my application I provide the following information –

6. Details of all persons (including any corporate bodies), who have an interest in the land, buildings or other improvements to the land, upon and in which the tourist accommodation house/unit(s) are proposed to be transferred, whether or not such interest is of a legal or equitable nature.

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

(*Please tick* *if documentation attached*) Documentation attached

The share or shares in which each person or corporate body has an interest, and in the case of a corporate body or trust, the names, shareholdings, and addresses of each Director, office holder and shareholder, trustee or beneficiary, and a copy of the memorandum and articles of association of the corporate body or trust deed.

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

(*Please tick* *if documentation attached*) Documentation attached

7. Do any of the owners of the proposed tourist accommodation house/unit(s) have an interest, whether or not such interest is of a legal or equitable nature, in any other tourist accommodation house?

(*Please tick* Yes No

If yes, provide details of the relevant accommodation house(s) and the interest of the owner(s) in that tourist accommodation house.

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

(*Please tick* *if documentation attached*) Documentation attached

8. Have any of the applicants been convicted of an offence in Norfolk Island or elsewhere?

(Please tick) Yes No

If yes, please provide details of the convictions:

.....

.....

(Please tick if documentation attached) Documentation attached

The executive member responsible for tourism is entitled to have regard to other factors, as prescribed by subsection 7(8) of the *Tourist Accommodation Act 1984*, in determining whether the applicant(s) is (are) fit and proper person(s) to be the owner(s) of a tourist accommodation.

9. Contact and postal details for the proposed tourist accommodation house/unit(s), if transferred:

PO Box no: Email:

Telephone no: Facsimile no:

10. (To be completed by the current owner(s) of the tourist accommodation house/unit(s) from which the transfer is proposed).

I/We, being the current owner(s) of the tourist accommodation house referred to in section 1, hereby agree with the proposed transfer

of unit(s) from portion(s) of
name of road

Dated this day of 20.....

.....
Signature of current owner(s)

I hereby declare that the proposed tourist accommodation house would comply with, and continue to comply with, the *Tourist Accommodation Act 1984*, the *Tourist Accommodation Regulations 1984* and the *Tourist Accommodation (Ownership) Act 1989*.

Dated this day of 20.....

.....
Signature² of applicant

Please Note: Under section 30 of the *Tourist Accommodation Act 1984* it is an offence to make a false or misleading statement.

Penalty: 20 penalty units.

² Where the owner is not a natural person, a person authorised in writing by the owner should sign. A copy of the authorisation should be attached.

COMMON ROOMS FOR PUBLIC USE

ROOM NAME		ROOM USAGE (Description)	
<u>Example</u>	Laundry	As described	5 M2
	Games Room	Recreational use	20 M2

COMMON ROOMS FOR STAFF USE ONLY

DESCRIPTION OF ROOM NAME
<u>Example</u> Staff Dining Rooms, Bedrooms, Lounges, etc

DESCRIPTION OF EACH UNIT

Unit Number or Name	Number of Lounges	Number of Bathrooms	Any Other Rooms	Bedroom Name/ Number & Type of Bed	Bedroom Measurements in <u>Square Metres</u>	Maximum Number of Persons per Bedroom	Maximum Number of Persons per Unit
<u>Example</u> Cottage 1	1	2	Kitchen	1 King Zip	16.5 M2	2	5
			Dining	2 Double	16.5 M2	2	
				3 Single	14 M2	1	

NOTES

The *Tourist Accommodation Regulations* as shown in this consolidation comprises Regulations No. 8 of 1984 and amendments as indicated in the Tables below.

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Tourist Accommodation Regulations</i>	8, 1984	30.11.84	
<i>Tourist Accommodation Amendment Regulations 1987</i>	3, 1987	14.5.87	
<i>Tourist Accommodation Amendment Regulations 1988</i>	12, 1988	3.11.88	
<i>Tourist Accommodation Amendment Regulations 1991</i>	6, 1991	7.11.91	
<i>Tourist Accommodation Amendment Regulations 1994</i>	2, 1994	24.3.94	
<i>Tourist Accommodation Amendment No. 2 Regulations 1994</i>	10, 1994	29.9.94	
<i>Tourist Accommodation Amendment Regulations 1996</i>	8, 1996	20.8.96	
[Previously consolidated as at 20 August 1996 incorporating above amendments]			
<i>Tourist Accommodation Amendment Regulations 1999</i>	4, 1999	30.7.99	29 (NB – self repeals 30 July 2004)
<i>Tourist Accommodation Amendment Regulations 2000</i>	8, 2000	24.8.00	
<i>Tourist Accommodation Amendment (No. 2) Regulations 2000</i>	10, 2000	5.10.00	
<i>Tourist Accommodation (Ex Gratia Payments) Amendment Regulations 2001</i>	7, 2001	14.8.01	

Enactment	Number and year	Date of commencement	Application saving or transitional provision
<i>Tourist Accommodation Amendment (Miscellaneous) Regulations 2002</i>	4, 2002	24.5.02	
<i>Tourist Accommodation Amendment (Safety Compliance) Regulations 2002</i>	6, 2002	11.10.02	
<i>Tourist Accommodation (Grading Classification) Amendment Regulations 2004</i>	7, 2004	30.4.04	
	[previously consolidated as at 4 May 2004]		
<i>Tourist Accommodation (Amendment) Regulations 2007</i>	15, 2007	26.10.07	

Table of Amendments

ad = added or am = amended rep = repealed rs = repealed and substituted

Provisions affected	How affected	
3	am	3, 1987; 4, 1999
7	am	4, 1999
7(1A)	ad	4, 1999
7(2)	rs	4, 1999
8	am	3, 1987
8(1)	rs	4, 1999
8(1A)	ad	4, 1999
8(2)	am	4, 1999
9(3)	rs	4, 1999
10(1)	rs	4, 1999
10(2)	am	4, 1999
10(3A), 10(3B), 10(3C)	ad	4, 1999
10(11)	am	4, 1999
11	rep	4, 1999
12(1)	rs	4, 1999
12(5)	am	4, 1999
13	rep	4, 1999
14	rs	4, 1999
14(g)	ad	4, 1999

ad = added or inserted am = amended rep = repealed rs = repealed and substituted

Provisions affected	How affected	
15(2)	rs	4, 1999
15(4)	ad	4, 1999
16	rs	4, 1999
	am	10, 2000
16(7)	ad	6, 2002
16A	ad	4, 1999
16B	ad	4, 1999
16C	ad	4, 1999
Heading to Div 2, Part 2	am	3, 1987
17	am	3, 1987
17(2)	ad	4, 1999
18	am	3, 1987
18(4)	ad	4, 1999
19	am	3, 1987
19A, 19B	ad	4, 1999
20	am	3, 1987
21(1A)	ad	4, 1999
23(1), (2)	rep	4, 1999
24(c)	ad	4, 1999
Heading to Div 4, Part 2	ad	4, 1999
25AA	ad	4, 1999
25AB, 25AC, 25AD, 25AE, 25AF	ad	4, 1999
25A	ad	8, 1996
25B	ad	4, 1999
	rep	4, 2002
	ad	15, 2007
25B(b)	am	8, 2000
25C	ad	8, 2000
26	am	3, 1987; 8, 1996
	rep	4, 1999
27	am	2, 1994; 8, 1996; 4, 2002
27A	ad	7, 2001
29	rs	3, 1987
29(1), 29(2)	rep	4, 2002
36	ad	2, 1994
	rep	4, 2002
37	ad	4, 1999
Schedule 1	am	2, 1994; 10, 1994; 8, 1996;
	rep	4, 1999
	ad	4, 2002
Schedule 2	am	4, 1999
Schedule 3	am	3, 1987; 12, 1988; 7, 2004
	rs	6, 1991

ad = added or am = amended rep = repealed rs = repealed and inserted substituted

Provisions affected	How affected	
Schedule 4	ad	8, 1996
	rep	4, 1999
	ad	4, 2002
Schedule 5	ad	15, 2007

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