

HOTEL PROPRIETORS ACT

CHAPTER 87:55

Act
16 of 1967
Amended by
45 of 1979

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 87:55

HOTEL PROPRIETORS ACT

ARRANGEMENT OF SECTIONS

SECTION

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SCHEDULE.

CHAPTER 87:55

HOTEL PROPRIETORS ACT

16 of 1967. **An Act relating to the rights and liabilities of hotel proprietors.**

Commencement. [26TH JULY 1967]

Short title. **1.** This Act may be cited as the Hotel Proprietors Act.

Interpretation. **2.** In this Act—

“goods” means any property of a guest other than a vehicle or property therein or any horse or other live animal its harness or other equipment or anything of a noxious, dangerous or unusual character;

“guest” means any person received into an hotel for the purpose of partaking of food or drink or using sleeping accommodation provided in the hotel;

“hotel” means any place or establishment held out by the proprietor as offering food and drink and, if so required, sleeping accommodation to any person presenting himself who is willing and able to pay a reasonable sum for the services and facilities provided and who is in a fit state to be received therein;

“proprietor”, in relation to an hotel, means any person having the management or control of an hotel and the conduct of the business therein.

Liability of proprietor.

3. (1) Subject to subsection (2), the proprietor of an hotel is liable to make good to any guest any damage to or loss of any goods brought to the hotel by the guest in any case where—

(a) at the time of the damage or loss sleeping accommodation had been engaged by the guest;

(b) the damage or loss occurred during the period commencing with the acceptance of the guest into the hotel and ending with his departure therefrom at the end of his stay.

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(2) The proprietor of an hotel shall not be liable to make good to any guests any loss of or damage to, or have any lien on, any vehicle or any property left in such vehicle or any live animal or its harness or other equipment.

4. (1) Subject to subsection (2), the liability referred to in section 3 of the proprietor of any hotel to any one guest shall not exceed five hundred dollars in respect of any one article or two thousand dollars in the aggregate except where—

Limits of liability.
[45 of 1979].

- (a) the property was stolen, lost or damaged through the default, neglect or wilful act of the proprietor or his servants; or
- (b) the property was deposited by or on behalf of the guest expressly for safe custody with the proprietor or some servant of his authorised or held out to be authorised for the purpose and if so required by the proprietor or that servant in a container or safe fastened, sealed or locked by the depositor.

(2) The proprietor of an hotel shall not be entitled to the protection of this subsection unless at the time when the property in question was brought into the hotel a copy of the notice set out in the Schedule printed in plain type was conspicuously displayed in a place where it could conveniently be read by his guests at or near the reception desk or at or near the main entrance to the hotel.

Schedule.

(3) The proprietor of an hotel may by written notice or special agreement limit his liability for loss or damage to the goods of any guest where he is undertaking or rendering any service in relation to such goods but, save as aforesaid, may not contract out of the liability imposed by this Act.

5. Any proprietor of an hotel who refuses to receive any person as a guest by reason of such person's race, religion or colour is liable on summary conviction to a fine of one thousand five hundred dollars and to imprisonment for six months.

Obligation of hotel proprietor.

Lien of hotel proprietor.

6. Subject to section 3(2), the proprietor of an hotel shall have a lien on the goods of any guest for the payment of all moneys payable to the proprietor for food, drink or accommodation or other services or facilities provided by the proprietor for the guest and shall be entitled to retain the goods and at any time after the expiration of thirty days from such retention to sell the same and recover the whole or any part of such moneys together with the costs and expenses of such sale provided that such sale is by public auction.

Section 4(2).

SCHEDULE

[45 of 1979].

LOSS OF OR DAMAGE TO GUEST'S PROPERTY

Under the Hotel Proprietors Act, an hotel proprietor may in certain circumstances be liable to make good any loss of or damage to a guest's property even though it was not due to any fault of the proprietor or staff of the hotel.

This liability however—

- (a) extends only to the property of guests who have engaged sleeping accommodation at the hotel;
- (b) is limited to five hundred dollars for any one article and a total of two thousand dollars in the case of any one guest, except in the case of property which has been deposited, or offered for deposit, for safe custody;
- (c) does not cover motor-cars or other vehicles of any kind or any property left in them or horses or other live animals.