



# **BILL NO. 101**

*Government Bill*

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*2nd Session, 63rd General Assembly  
Nova Scotia  
68 Elizabeth II, 2019*

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## **An Act Respecting the Registration of Tourist Accommodations**

CHAPTER 9  
ACTS OF 2019

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
APRIL 12, 2019**

The Honourable Geoff MacLellan  
*Minister of Business*

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*Halifax, Nova Scotia  
Printed by Authority of the Speaker of the House of Assembly*

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## **An Act Respecting the Registration of Tourist Accommodations**

Be it enacted by the Governor and Assembly as follows:

**1** This Act may be cited as the *Tourist Accommodations Registration Act*.

**2** In this Act,

(a) “host” means a person who carries on the business of offering short-term rental of roofed accommodations to the travelling or vacationing public in the Province;

(b) “platform operator” means a person who facilitates or brokers reservations for the short-term rental of roofed accommodations via the Internet and who receives payment, compensation or any other financial benefit in connection with a person making or completing reservations of such short-term rentals;

(c) “primary residence” means a dwelling unit owned or rented and occupied by an individual either alone or jointly with others in which the individual is ordinarily resident;

(d) “roofed accommodation” means

(i) every building, part of a building, group of buildings or place of accommodation that provides one or more residential units used mainly for the reception of the travelling or vacationing public,

(ii) cottages or cabins, or

(iii) any building or part of a building designated as a roofed accommodation by the regulations;

(e) “short-term rental” means the provision of roofed accommodations to a single party or group, for payment or compensation, for a period of 28 days or less.

**3 (1)** Subject to subsection (2), no person shall carry on the business of a host without first registering under this Act in the manner set out in the regulations.

**(2)** Subsection (1) does not apply to a person carrying on the business of a host if the only short-term rental of roofed accommodations offered by the person is the person’s primary residence.

**(3)** No person shall carry on the business of a platform operator without first registering under this Act in the manner set out in the regulations.

**4 (1)** Every platform operator listing, advertising or facilitating the listing or advertising of short-term rentals of roof accommodations in the Province shall keep a record of each concluded transaction in relation to such short-term rentals listed or advertised on its platform for seven years following the last day of the rental period.

- (2) Records required to be retained under subsection (1) must include
- (a) the name, address and registration number, if applicable, of the host;
  - (b) the number of nights the roofed accommodations were rented;
  - (c) the nightly and total price charged for the rental; and
  - (d) any other information required by the regulations.

5 A person who contravenes this Act is guilty of an offence and liable on summary conviction to a fine of not more than \$1,000 and such additional penalty as may be prescribed by the regulations.

- 6 (1) The Governor in Council may make regulations
- (a) designating a building or part of a building as a roofed accommodation;
  - (b) establishing a requirement to register under this Act, including defining any classes of persons required to register, terms of eligibility and any terms and conditions to be applied to applicants or registrants;
  - (c) respecting applications for registrations of roofed accommodations, hosts and platform operators;
  - (d) respecting the collection, use and disclosure of any information collected or provided pursuant to this Act;
  - (e) prescribing the fees to be charged for registrations required under this Act;
  - (f) respecting the form of any registration system required pursuant to this Act;
  - (g) prescribing additional penalties for non-compliance with this Act;
  - (h) respecting any matter or thing the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority contained in subsection (1) is a regulation within the meaning of the *Regulations Act*.

7 **Section 2 of Chapter 23 of the Revised Statutes, 1989, the *Assessment Act*, as amended by Chapter 19 of the Acts of 1990, Chapter 18 of the Acts of 1998, Chapter 9 of the Acts of 2000, Chapter 15 of the Acts of 2002, Chapter 9 of the Acts of 2005, Chapter 19 of the Acts of 2006, Chapter 9 of the Acts of 2007, Chapter 36 of the Acts of 2008 and Chapter 16 of the Acts of 2012, is further amended by**

- (a) **repealing clause (ba) and substituting the following clause:**
- (ba) “camping establishment” means any premises operated for profit or gain for the accommodation of the travelling or vacationing public comprising
    - (i) land maintained as grounds for camping or for overnight parking of recreational vehicles, or
    - (ii) a separate building or buildings containing a rental unit of one room used as an alternative form of accommodation in a campground,

but does not include any part of premises licensed under the *Liquor Control Act* as a cabaret, tavern, beverage room or lounge;

**and**

**(b) repealing clause (tb) and substituting the following clause:**

(tb) “roofed accommodation” has the same meaning as in the *Tourist Accommodations Registration Act*, but does not include any part of premises licensed under the *Liquor Control Act* as a cabaret, tavern, beverage room or lounge;

**8** Clause 2(a) of Chapter 51 of the Acts of 2001, the *Halifax Regional Municipality Marketing Levy Act*, is amended by striking out “licensed under the *Tourist Accommodations*” in the third and fourth lines and substituting “registered under the *Tourist Accommodations Registration*”.

**9** Clause 13(c) of Chapter 27 of the Acts of 2006, the *Occupiers’ Liability Act*, is repealed.

**10** Clause 2(f) of Chapter 12 of the Acts of 2002, the *Smoke-free Places Act*, is amended by adding “*Registration*” immediately after “*Accommodations*” in the last line.

**11** Chapter 9 of the Acts of 1994-95, the *Tourist Accommodations Act*, is repealed.

**12** Clause 2(a) of Chapter 33 of the Acts of 2005, the *Yarmouth Marketing and Promotions Levy Act*, is amended by striking out “licensed under the *Tourist Accommodations*” in the second and third lines and substituting “registered under the *Tourist Accommodations Registration*”.

**13** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

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