

Reference: <http://culturecanada.gc.ca>

## **New Approach to Safe, Quality Tourist Accommodations in Nova Scotia Review of Tourist Accommodations Act**

In July 2006, a review of the Tourist Accommodations Act and Regulations began in response to industry concerns. It included consumer research, consultation with other government departments, and a review of best practices in other jurisdictions. The review also included a discussion paper and consultation with industry groups representing a cross-section of operators in the accommodations sector on how safe, quality accommodations can best be achieved for our visitors. These groups included: Tourism Industry Association of Nova Scotia, Hotel Association of Nova Scotia, Nova Scotia Bed and Breakfast Association, Nova Scotia Association of Unique Country Inns, Innkeepers Guild of Nova Scotia, Campground Owners Association of Nova Scotia, Quality Visitor Services (Canada Select), Regional and Tourism Industry Associations.

The consultation was conducted by a professional facilitator. The industry associations were invited to gather input from their members in order to develop a consolidated position which they submitted to the facilitator in March 2007. Some comments were received from individuals as well. In May 2007, the facilitator prepared a summary of this feedback for the department. This summary was shared with the industry groups that participated in the consultation. We thank everyone who participated for helping inform our decision.

### **New Approach to Accommodations**

The review is now complete and a decision has been made to ensure fairness for accommodations operators and to ensure that all properties promoted in provincial marketing activities meet safety requirements and industry standards for quality. Tourism, Culture and Heritage Minister Bill Dooks announced on November 27, 2007, that government intends to repeal the Tourist Accommodations Act in the spring of 2008. There will be no more provincial government licensing. Instead, properties can either be rated by a nationally or internationally recognized quality program or meet minimum quality standards established by TIANS to be included in our provincial tourism marketing activities. For properties that choose not to participate in our marketing activities, the onus is still on them to comply with all provincial safety legislation requirements.

### **FAQ Why are you repealing the act?**

Why not just enforce it? Our new approach helps level the playing field for all accommodations operators while ensuring safety and quality. It allows the department to focus on its mandate of promoting Nova Scotia as a tourism destination and gives industry the leadership

role it wants to play to improve quality in our tourism product. This approach is in line with government's Better Regulation initiative to improve the business climate in Nova Scotia. Enforcing the act as it is or with amendments just isn't a realistic option - our courts are dealing with more pressing matters - nor should it be the role of Tourism, Culture and Heritage to police the industry. Our role is to promote Nova Scotia as a tourism destination. With this new approach, we can focus on that mandate and promote the accommodations operators who are serious about safety and quality.

### **How is this better for operators and visitors?**

For operators, this means a level playing field, and it means choice in how they promote their businesses. For more than half of them (those that are already members of rating programs), it may even save them some money. Visitors will continue to see quality accommodations promoted through marketing activities such as the Doers and Dreams Guide, the Check In Nova Scotia Reservation Service, [novascotia.com](http://novascotia.com) and our visitor information centres. They can continue to choose their preferred accommodations, but we will only promote the safe, quality ones.

### **What's different about this for operators?**

The ultimate difference is no more licensing which helps level the playing field for everyone. At an operational level, the key difference is the choice that operators will have in promoting their businesses: About 60% of currently licensed operators are already members of recognized rating programs. For them, our new approach means they no longer pay licensing fees on top of their rating program membership. For operators who choose not to use rating programs, they can meet minimum quality standards that will be established by the industry through TIANS.

### **How does this level the playing field?**

We had a situation of unfairness with law-abiding licensed properties operating next to unlicensed ones. Even if the courts could handle the work, we know we could never track down every unlicensed property. So the fairest approach is not to have provincial government licensing and to instead, promote only the properties that are meeting safety requirements and demonstrating quality by being rated or meeting minimum quality standards.

### **How will you ensure quality accommodations?**

All properties participating in our marketing activities will demonstrate their quality - either through a private rating program or the TIANS-led quality program.

### **What about operators who don't want to participate in marketing activities?**

Operators who choose not to participate in provincial marketing activities can continue to operate without meeting any of Tourism, Culture and Heritage's require

ments. They must, however, continue to comply with all provincial safety legislation.

### **How will visitors know which accommodations are quality properties?**

Our travel guide and website will explain to consumers that all the accommodations properties we promote are meeting minimum quality standards endorsed by TIANS and the Province of Nova Scotia. If they choose properties that we don't promote, it's buyer beware.

### **How will you ensure health and safety standards without the act?**

Accommodations operators must continue to comply with safety legislation administered by other departments. This does not change. The only safety aspect referred to in the Tourist Accommodations Act related to water quality. Environment and Labour agrees that this responsibility is better placed with that department as it plays the regulatory role.

### **How will accommodations get taxed as commercial properties without the act?**

Service Nova Scotia and Municipal Relations has many sources of information to determine if a property is commercial or residential. The majority of properties will be in the travel guide and the repeal of the act will have little effect on their assessment work.

### **How will you collect accommodations statistics without the act?**

All accommodations properties participating in our marketing activities will be required to submit their occupancy statistics. We anticipate that will be the lion's share of properties. In return, the department will continue to provide operators with analytical information that keeps them up to date on the performance of the industry and helps them make informed business decisions.

### **Does this mean you are making rating mandatory?**

No. Rating programs have always been, and will continue to be completely voluntary for operators. About 60% of Nova Scotia's accommodations properties currently choose to be members of rating programs. For those who aren't rated and choose not to be, there is a choice in our new approach. They can meet the minimum quality standards of the TIANS-led program instead. This new program will not involve ratings.

### **What are you going to do between now and the spring for renewing licences or issuing new ones?**

Our inspection season (April to November) has been completed for 2007. Existing properties renewing their licenses this year have been addressed. Since our inspection season is over, we wouldn't be issuing licences over the winter months anyway. If we get applications to license new properties, we will let them know that a licence will no longer be required once the act is repealed

in the spring.

### **What will it cost operators to participate in the TIANS quality program?**

Those details are yet to be worked out, but fees will be for cost recovery only. The program will be revenue neutral.

### **How much are private rating fees?**

Private rating membership fees depend on the number of rooms in the accommodations property. For example, Canada Select's fees for fixed roof accommodations range from \$115 for 1-2 rooms to \$690 for 300 plus rooms.

### **How much were the licensing fees?**

The department's licensing fees are outlined in the regulations under the Tourist Accommodations Act. Fees for fixed roof accommodations range from \$79.88 for 1-2 rooms to \$852 for 300 plus rooms. Fees for campgrounds range from \$79.88 for 1-50 campsites to \$159.75 for 101 plus campsites.

### **What marketing activities do the new rules apply to?**

Our new approach applies to ALL the marketing activities we currently engage in and any future ones we pursue. Currently, our marketing activities include but are not limited to: Doers and Dreamers Guide Check In Nova Scotia Reservation Service Listing and advertising on novascotia.com Participation in promotions Participation in our media relations program (familiarization tours etc) Brochures in visitor information centres.

### **Will you give a refund to operators who have paid for 2008 licences?**

No. Operators who have paid for their licences in 2007 will be included in our 2008 marketing materials such as the travel guide which is printed in the fall/winter. The new approach will be in place in the spring of 2008 so we can prepare for our 2009 materials.

For more information, please visit our website at [www.gov.ns.ca/dtc](http://www.gov.ns.ca/dtc) or contact: Lloyd Banfield Executive Director of Tourism Department of Tourism, Culture and Heritage 902-424-4554 or Darlene Grant-Fiander President Tourism Industry Association of Nova Scotia 902-423-4480 Tourist Accommodation Act Industry Consultation Summary Tourist Accommodation Properties Discussion Paper Province to Review Tourist Accommodation Act News Release New Approach to Accommodations News Release Routine Access Policy of the Department of Tourism, Culture & Heritage. Some files on this Web site require the free Adobe Acrobat PDF Reader for viewing.

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