



BERMUDA

TOURISM INVESTMENT AMENDMENT ACT 2019

2019 : 41

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WHEREAS it is necessary to amend the Tourism Investment Act 2017 so that it applies to specific hotel developments presently using a hotel concession order made under the Hotels Concession Act 2000 so that the relevant developers are able to apply for a tourism investment order;

Be it enacted by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Assembly of Bermuda, and by the authority of the same, as follows:

Citation

1 This Act, which amends the Tourism Investment Act 2017 ("the principal Act"), may be cited as the Tourism Investment Amendment Act 2019.

Amends section 2

2 The principal Act is amended in section 2 in the definition of "appraised market value" by deleting "Bermuda Tourism Authority" and substituting "Bermuda Business Development Agency".

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Inserts section 2A

3 The principal Act is amended by inserting the following after section 2—

“Application of this Act

2A (1) This Act shall apply in relation to a hotel development that is the subject of a hotel concession order made under the Hotels Concession Act 2000, as if the development were within the definition of “new hotel” in section 2.

(2) In this section, “hotel development” means the development provided in the following hotel concession orders—

- (a) Hotels Concession (Pink Beach Hotel) Order 2015;
- (b) Hotels Concession (former Surf Side Beach Club) Order 2016; and
- (c) Hotels Concession (Tucker’s Point Hotel and Resort) Order 2016.”.

Amends section 3

4 Section 3 of the principal Act is amended by inserting the following after subsection (1)—

“(1a) A developer of a hotel development in section 2A may apply in writing to the Minister for the making of a tourism investment order.”.

Amends section 5

5 Section 5 of the principal Act is amended—

- (a) in subsection (1) by deleting “3” and substituting “3(1)”; and
- (b) by inserting the following after subsection (1)—

“(1a) When considering an application under section 3(1a), the Minister shall take into account any period of relief in the hotel concession order used by the developer and shall deduct that period of relief when making a tourism investment order.”.

- (c) in subsection (2) by deleting “Bermuda Tourism Authority” and substituting “Bermuda Business Development Agency”.

Amends Schedule 4

6 Schedule 4 to the principal Act is amended by inserting the following after paragraph 14—

“15. Hotels Concession (Elbow Beach Hotel) Order 2016”.

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Commencement

7 This Act shall come into operation on such day as the Minister may appoint by notice published in the Gazette.

[Assent Date: 08 October 2019]

[Operative Date: 05 November 2019]