

CHAPTER 291 HOTEL KEEPERS

ARRANGEMENT OF SECTIONS

SECTION

Short title.

1.

Interpretation.

2.

Limitation of liability of hotel keeper.

3.

Exclusion of hotel keeper from benefit of Act in certain cases.

4.

Duty of hotel keeper to exhibit copy of section 3 of Act in hotel.

5.

Conferment of power of sale of goods upon hotel keeper under certain circumstances.

6.

False declaration.

7.

CHAPTER 291

HOTEL KEEPERS

An Act to make certain provisions for the protection of hotel keepers.

44 of 1962

16 of 1971

5 of 1987

[Commencement 23rd May, 1962]

Short title.

1. This Act may be cited as the Hotel Keepers Act.

Interpretation.

2. In this Act, unless the context otherwise requires-

"hotel" means any hotel, inn, tavern, public house or other place of refreshment, the keeper of which is now by common law responsible for the goods of his guests;

"hotel keeper" means the keeper of an hotel and includes any company keeping an hotel;

"goods" means any money, goods, chattels, wares or merchandise.

Limitation of liability of hotel keeper.

3. From and after the coming into operation of this Act, no hotel keeper shall be liable to make good to any guest of such hotel keeper any loss of, or injury to, goods brought to his hotel, to a greater amount than the sum of four hundred dollars, except-

(a) where such goods are stolen, lost or injured through the wilful act, default or

negligence of such hotel keeper, or any servant in his employ; or

(b)
where such goods are deposited expressly for safe custody with such hotel keeper:
Provided that in the case of such deposit it shall be a condition precedent of the liability of the hotel keeper that the guest effecting the deposit shall at the time thereof-

(i)
make and sign a written declaration as to the nature and value of the goods deposited;

(ii)
permit the hotel keeper by himself, his servant or agent to inspect such goods; and

(iii)
if so required by the hotel keeper, deposit such goods in a box or other receptacle fastened and sealed by such guest.

4. If any hotel keeper refuses to receive for safe custody, as before mentioned, any goods of his guest, or if any guest is, through any default of such hotel keeper, unable to deposit such goods as aforesaid, then such hotel keeper shall not be entitled to the benefit of this Act, in respect of such goods:

Provided that no hotel keeper shall be obliged to accept for safe custody any goods of his guest to a declared value in excess of ten thousand dollars.

Exclusion of hotel keeper from benefit of Act in certain cases.

5. Every hotel keeper shall cause at least one copy of section 3 of this Act, printed in plain type to be exhibited-

(a)
if his hotel contains bedrooms for guests, in a conspicuous place in each bedroom, and in a conspicuous part of the main hall or entrance to his hotel;

(b)
if his hotel does not contain bedrooms for guests, in a conspicuous place in the main hall or entrance to his hotel,

and shall be entitled to the benefit of this Act in respect of such goods as are brought to his hotel whilst such copies are so exhibited.

Duty of hotel keeper to exhibit copy of section 3 of Act in hotel.

6. (1) The hotel keeper shall, in addition to his ordinary lien, have the right absolutely to sell and dispose by public auction of any goods which may have been deposited with him or left in his hotel or other premises appurtenant or belonging thereto, where the person depositing or leaving such goods becomes indebted to the said hotel keeper either for any board or lodging:

Provided that no such sale shall be made-

(a)
until after the said goods have been for the space of six weeks in the charge or custody of such hotel keeper, or in or upon such premises, without such debt having been paid or satisfied; and

Conferment of power of sale of goods upon hotel keeper under certain circumstances.

(b)
unless the debt for the payment of which a sale is made is not any other or greater debt than the debt for which the goods could have been retained by the hotel keeper by his lien; and

(c)
unless at least one month before any such sale the hotel keeper has caused to be inserted in the *Gazette* an advertisement containing notice of such intended sale, and giving shortly a description of the goods intended to be sold, together with the name (where known) of the owner or person who deposited or left the goods.

(2) Such hotel keeper, after having, out of the proceeds of such sale, paid himself the amount of any debt, together with the costs and expenses of such sale, shall on demand pay to the person depositing or leaving any such goods, the surplus (if any) remaining after such sale.

7. Any person who, for the purposes of the proviso to section 3 of this Act, makes any declaration which is to his knowledge false or which he does not at the time of making thereof genuinely believe to be true shall be guilty of an offence and shall be liable upon summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months.

False declaration.