Hotel Proprietors Act (Northern Ireland) 1958

1958 CHAPTER 32

An Act to amend the law relating to inns and inn-keepers and for purposes connected with that matter. [30th December 1958]

1   Inns and inn-keepers.

(1) An hotel within the meaning of this Act shall, and any other establishment shall not, be deemed to be an inn; and the duties, liabilities and rights which immediately before the commencement of this Act by law attached to an innkeeper as such shall, subject to the provisions of this Act, attach to the proprietor of such an hotel and shall not attach to any other person.

(2) The proprietor of an hotel shall, as an innkeeper, be under the like liability, if any, to make good to any guest of his any damage to property brought to the hotel as he would be under to make good the loss thereof.

(3) In this Act, "hotel" means an establishment held out by the proprietor as offering food, drink and, if so required, sleeping accommodation, without special contract, to any traveller presenting himself who appears able and willing to pay a reasonable sum for the services and facilities provided and who is in a fit state to be received.

2   Modifications of liabilities and rights of inn-keepers as such.

(1) Without prejudice to any other liability incurred by him with respect to any property brought to the hotel, the proprietor of an hotel shall not be liable as an innkeeper to make good to any traveller any loss of or damage to such property unless and save only where—

   (a)   at the time of the loss or damage sleeping accommodation at the hotel had been engaged for the traveller; and

   (b)   the loss or damage occurred during the period commencing with the midnight immediately preceding, and ending with the midnight immediately following,

a period for which the traveller was a guest at the hotel and entitled to use the accommodation so engaged.

(2) Without prejudice to any other liability or right of his with respect thereto, the proprietor of an hotel shall not as an innkeeper be liable to make good to any guest of his any loss of or damage to, or have any lien on, any vehicle or any property left therein, or any horse or other live animal or its harness or other equipment.

(3) Subject to sub-section (4), where the proprietor of an hotel is liable as an innkeeper to make good the loss of or any damage to property brought to the hotel, his liability to any one guest shall not exceed fifty pounds in respect of any one article, or one hundred pounds in the aggregate, unless and save only where—

   (a)   the property was stolen, lost or damaged through the default, neglect or wilful act of the proprietor or some servant of his; 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 appearing to be authorised, for the purpose, and, if so required by the proprietor or that servant, in a container fastened or sealed by the depositor; or

   (c)   at a time after the guest had arrived at the hotel, either the property in question was offered for deposit as aforesaid and the proprietor or his servant refused to receive it, or the guest or some other person acting on his behalf wished so to offer the property in question but, through the default of the proprietor or a servant of his, was unable to do so.

(4) The proprietor shall not be entitled to the protection of sub-section (3) unless, at the time when the property in question was brought to 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 office or desk or, where there is no reception office or desk, at or near the main entrance to the hotel.

3   Short title.

(1) This Act may be cited as the Hotel Proprietors Act (Northern Ireland), 1958.

Subs. (2)(3) rep. by SLR 1973