

**A BILL**

**entitled**

**VACATION RENTALS (APPLICATION AND REGISTRATION) FEES ACT 2023**

WHEREAS it is expedient to amend the Rent Increases (Domestic Premises) Control Act 1978 and the Bermuda Tourism Authority Act 2013 to provide for an annual application fee for a vacation rental (rent control) certificate and an annual registration fee for a vacation rental certificate for vacation rental units;

Be it enacted by The King'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 may be cited as the Vacation Rentals (Application and Registration) Fees Act 2023.

**Amendment to the Rent Increases (Domestic Premises) Control Act 1978**

2 The Rent Increases (Domestic Premises) Control Act 1978 is amended in section 6—

(a) by deleting subsection (3) and substituting—

“(3) An application for a vacation rental (rent control) certificate shall—

(a) be made annually;

(b) be accompanied by the fee prescribed in the Government Fees Regulations 1976;

(c) be in such form as the Minister may specify;”.

(b) in subsection (4)(e) by deleting “twenty-four” and substituting “twelve”;

(c) by deleting subsection (5);

(d) in subsection (6)(b)—

(i) by deleting “twelve” and substituting “six”;

(ii) by deleting “twenty-four” and substituting “twelve”;

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(e) in subsection (6)(c) by deleting “under this Act” and substituting “under this section”;

(f) by inserting the following after subsection (7)—

“(8) Regulations made by the Minister under this section are subject to the negative resolution procedure.”.

### **Amendment to Bermuda Tourism Authority Act 2013**

3 The Bermuda Tourism Authority Act 2013 is amended—

(a) in section 15A by deleting subsection (2) and substituting—

“(2) On an annual basis a proprietor of a vacation rental unit, other than a proprietor who holds a vacation rental (rent control) certificate, shall—

(a) register with the Minister;

(b) pay such fee as is prescribed in the Government Fees Regulations 1976;

(c) supply such details in relation to the vacation rental unit as the Minister may reasonably require.”;

(b) by deleting section 15B(3).

### **Related amendments to the Government Fees Regulations 1976**

4 The Government Fees Regulations 1976 are amended—

(a) by inserting the following in **Head 68 Rent Increases (Domestic Premises) Control Act 1978**—

“(2) Annual application fee for a vacation rental (rent control) certificate under section 6(3)—

annual rental value—

(i) Nil - \$11,000 \$1,500

(ii) \$11,001 - \$22,800 \$1,500 ”;

(b) by inserting the following after **Head 8 Bermudian Status by Birth or Grant Register Act 1992**—

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#### **Head 8A**

Bermuda Tourism Authority Act 2013

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(1) Annual registration fee for a vacation rental certificate under section 15A(2)—

annual rental value—

(i) \$22,801 - \$33,000 \$2,000

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### **Head 8A**

#### Bermuda Tourism Authority Act 2013

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(ii) \$33,001 - \$44,000	\$2,000
(iii) \$44,001 - \$90,000	\$2,000
(iv) \$90,001 - \$120,000	\$2,500
(v) \$120,001 and over	\$2,500 "

### **Saving and transitional**

5 (1) A vacation rental (rent control) certificate issued under section 6(2) of the Rent Increases (Domestic Premises) Control Act 1978 or a vacation rental certificate issued under section 15B(1) of the Bermuda Tourism Authority Act 2013 before the coming into operation of this Act is not invalidated by reason only of the amendments to such sections in the said Acts.

(2) Any vacation rental (rent control) certificate in force immediately before the coming into operation of this Act shall remain in force until 31 August 2023.

(3) Any vacation rental certificate in force immediately before the coming into operation of this Act shall remain in force until its expiration date.

### **Commencement**

6 This Act shall come into operation on such day as the Minister may appoint by Notice in the Gazette.

## **VACATION RENTALS (APPLICATION AND REGISTRATION) FEES ACT 2023**

### **EXPLANATORY MEMORANDUM**

This Bill seeks to amend the Rent Increases (Domestic Premises) Control Act 1978 and the Bermuda Tourism Authority Act 2013 to provide for an annual application fee for a vacation rental (rent control) certificate and an annual registration fee for a vacation rental certificate for vacation rental units.

Clause 1 provides the title of the Bill.

Clause 2 amends section 6 of the Rent Increases (Domestic Premises) Control Act 1968 to provide an annual application fee for a vacation rental (rent control) certificate.

Clause 3 amends section 15A of the Bermuda Tourism Authority Act 2013 to provide an annual registration fee for a vacation rental certificate.

Clause 4 provides a related amendment to the Government Fees Regulations 1976 to provide the fees payable, according to annual rental value bands, for a vacation rental (rent control) certificate and a vacation rental certificate.

Clause 5 provides that a vacation rental (rent control) certificate and a vacation rental certificate issued before the coming into operation of the Act shall not be invalidated by the creation of the application and registration fees. It also provides that a valid vacation rental (rent control) certificate on the coming into operation will remain valid until 31 August 2023 and that a valid vacation rental certificate shall remain valid until its expiration.

Clause 6 provides the Bill comes into operation on publication of a notice, by the Minister, in the Gazette.