

Ministerial Offices | Government of Jersey | Union Street
Jersey | St Helier | JE2 3DN

By email

19th January 2026

Dear Chair,

Tourism order

Thank you for your letter of 12th January, in which you ask a number of questions relating to the Tourism (General Provisions) (Jersey) Amendment Order 2025. I have set out answers to each of these below:

I hope the above information provides clarity to the areas you have raised.

1. *Can you please outline the rationale behind the Order being updated? Was this initiated in response to a request from industry or a similar stakeholder group?*

There has been a steady decline in accommodation capacity since the mid-2000s. The Visitor Economy Strategy makes clear that we must continue to modernise our offering and encourage investment through both improvements to existing stock and the development of new product.

Successive reviews of this legislation dating back to 2014, together with requests from industry, have identified that the current Order is outdated and overly prescriptive, although reform was not progressed. The most recent review was undertaken as an action in the Visitor Economy Delivery Plan and Ministerial Delivery Plan 2024. The Barriers to Business report similarly identified that, in general, older legislation is often not reviewed and becomes unfit for purpose.

In 2023, a detailed report produced recommendations for modernisation, concluding that using the Order as a tool for quality control is outdated. It also noted that the 1990 Order is a significant anomaly internationally, being considerably more detailed than comparative legislation elsewhere. I would be happy to share this report with the Panel in confidence.

Changes introduced in 2024 removed rigid spatial standards to facilitate the development of new visitor accommodation. It was always intended that further amendments would follow to remove barriers to business and unlock investment, which is reflected in this phase of reform.

2. *Can you please provide the Panel with detail as to the consultation that took place with regards to this draft Order? If no consultation took place, can you provide the reasoning?*

The 2023 report and conclusion were developed with industry, through workshops and semi-structured interviews to inform policy design. Recent consultation with the Jersey Hospitality Association, Chamber of Commerce Visitor Committee, Jersey Fire and Rescue, Regulation, and Planning has further informed this Amendment Order.

3. The Panel notes within the proposed draft Order that: “Article 3 amends Article 2 (classification of premises) to amend references to “youth hostel”, as these will become “hostels” for use by people of any age”.

a. What is the current legal definition of a youth hostel? What constitutes a Youth hostel?

The legislation does not define “youth hostel” as a legal concept. The current Order simply sets out the requirements to register as a youth hostel.

b. Are there any youth hostels currently operating on the Island?

There are currently three registered Youth Hostels on the Island – Jersey Heritage Elizabeth Castle Retreat, Durrell Wildlife Hostel and Jersey Accommodation and Activity Centre. The law doesn’t place any restrictions on usage or who may be accommodated in these properties.

c. What consultation with safeguarding agencies, Children’s Commissioner and so forth took place to ensure there are no safety concerns around this change?

The Order, as amended, will set out what is required to register as a hostel. Safeguarding matters are not within the scope of this Law or the Order. It is therefore not necessary, nor appropriate, to consult safeguarding agencies on this specific change. Any safeguarding responsibilities relating to groups of young people lie with those organising and supervising the group, not the accommodation provider.

d. Was a Human Rights Impact Assessment carried out? If not, why not?

HRIA are only required for Primary Legislation; it was not considered necessary for the amendments being made to the Order.

e. What assessment has been made (if any) of the potential negative consequences of removing the youth element?

Removing the reference to “young persons” is not judged to have negative consequences. Hostels have evolved significantly since the 1970s to serve a broad demographic, and existing youth hostels in Jersey already accommodate a wide range of guests. The choice of whether to market towards younger guests, older guests, or other specific groups is a commercial decision for operators.

4. The Panel’s understanding is that under the current *Tourism (General Provisions) (Jersey) Order 1990* there is a requirement that separate sleeping accommodation must be provided for females and males. If this is the case, can you confirm if the only Youth Hostel on the Island abides by this Law?

Yes, separate sleeping and washing/toilet facilities are provided for females and males as per the requirement in the Order.

5. ***The draft Order proposes the removal of “the requirement for a hotel to provide a sitting room or dining room for residents, and no specific requirements for kitchen facilities or for chambermaids’ pantries on floors where bedrooms are located”. Can you provide the rationale behind this?***

The removal of these prescriptive requirements is intended to give accommodation operators maximum flexibility in how they design and use their spaces. Jersey’s accommodation sector operates within tight constraints, and mandatory spaces force businesses to dedicate valuable floor area to functions that may no longer reflect modern visitor expectations or operational needs.

For example, requiring a dining room capable of seating 30% of guests is unnecessary where an operator does not provide meals. Earlier amendments were already made to facilitate a new hotel development; removing the requirement entirely will future-proof the Order and avoid using resource to amend further.

Modern accommodation brands also dictate their own standards, reducing the need for such requirements in legislation.

6. ***Within Article 4, the Panel notes that “Privacy coverings will be required if bedroom windows are overlooked, replacing a mandate for net curtains.”***

- a. ***What constitutes a “privacy covering”?***

The term is not defined in law, intentionally allowing flexibility. Privacy may be provided by a range of coverings including net curtains, but this is not necessary to specify in legislation. A mandate for net curtains is unfavourable for the look and feel of our visitor accommodation and aesthetically restrictive for businesses.

- b. ***Can you clarify does this mean that if a bedroom is not overlooked, no privacy covering is needed?***

This clause in the Order, in full, will read:

“windows are fitted where necessary either with suitable lined curtains or with blinds, and, in addition, with privacy coverings if a bedroom is overlooked;”

No privacy covering is required if a bedroom is not overlooked, but suitable lined curtains or blinds are still required to be fitted.

7. ***The Panel understands that the draft Order removes the requirement in both hotels and self-catering units for the provision of a public telephone for guests. The Panel is concerned that this is unsafe in the case of an emergency and given the draft Order provision that there will not be a requirement for a manager to be on site at all times.***

- a. ***Why was the decision taken to remove this requirement?***

The 1948 Law predates mobile phones, and the context in which 1990 Order was written is vastly different than that of today. Most, if not all, visitors will now have a personal mobile telephone. Requiring a public telephone be installed to register as a hotel or guest house is considered obsolete.

Pay phones impose administrative costs on operators and are rarely used. Hotels may continue public telephones if desired, in addition to telephones at reception and in guest rooms.

b. What are the unintended consequences of removing the requirement for a public telephone?

The main risk is reputational, should a guest expect a public telephone. This is a business consideration, and operators may retain public telephones if they wish.

Visitors not having access to a mobile phone or public telephone; however accommodation providers can decide to keep or remove phones on premises. Alternatively, phones at reception.

c. Was consultation undertaken on this element with States of Jersey Emergency Services for their feedback?

Yes, via the Fire and Rescue Service. The responsibility for maintaining the Fire Precautions in visitor accommodation sits with a Responsible Person from the premises, but the Law does not require that the responsible person is present on site at all times. There does need to be a provision for someone staying in the premises to dial 999, which can be by mobile phone.

8. The Panel is concerned by the removal of the requirement for a responsible person to be available on the premises at all times, which is being replaced by the “requirement for the premises to be under the management of a competent person contactable by resident guests, with details of how the manager may be contacted at night clearly posted in the reception area of the premises and in every bedroom.”

a. Can you explain the rationale behind the decision to remove the requirement for a person to be available on the premises at all times?

This requirement is being removed to ensure consistency across accommodation types - at present, requirements differ. Mandating on-site presence also imposes significant cost on operators. Brand standards and rating systems will continue to influence business practice, and operators may choose to maintain on-site staff.

b. What consultation on this element has been carried out to ensure safety for individuals on the premises?

Industry bodies were consulted on the proposed changes, and no objections or concerns were raised. Jersey Fire and Rescue Service (FRS) emphasised only that contact details for a responsible person must be readily available to guests and FRS, which the amended Order ensures.

Forthcoming fire legislation reform will further strengthen safety requirements.

9. Article 4 stipulates that buildings can be separate from one another. Is there a limit to how far a building can be from the main building? If so, where is this legislated for?

A limit has not been legislated for. Introducing such a limit would re-introduce the type of prescriptive requirement this reform seeks to remove, and would be arbitrary as there is a degree of subjectivity needed to sense what is reasonable. It is intended that visitors would be made aware of this before booking.

This can be reviewed, and the Minister still retains the power to deregister, intervene if appropriate. If necessary, policy guidance could be issued on this matter.

10. The Panel notes the proposed changes to Article 17 around the registration of campsites. The Panel understands that people in Jersey currently do stay in campervans and caravans on campsites. Can you clarify whether there is a legal basis for this currently under the Tourism (General Provisions) (Jersey) Order 1990? If not, does this mean that there are individuals staying unlawfully at campsites?

Although not explicitly stated in the 1990 Order, staying in caravans and campervans on campsites has been permitted for quite some time. The Amendment Order simply makes this explicit.

To be clear, this is for recreational purposes only; all registered campsites carry the condition that:

“Camping or hostel accommodation can only be provided for persons visiting the Island for the purpose of recreation.”

I hope the above information provides clarity to the areas you have raised but I remain at your disposal if you have any further concerns or queries.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'K Morel', written in a cursive style.

Deputy Kirsten Morel

Minister for Sustainable Economic Development