

2026 Bill 16

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Second Session, 31st Legislature, 4 Charles III

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 16**

## **TRAVELLER PROTECTION AND DESTINATION DEVELOPMENT ACT**

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THE MINISTER OF TOURISM AND SPORT

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 16*

## **BILL 16**

2026

### **TRAVELLER PROTECTION AND DESTINATION DEVELOPMENT ACT**

*(Assented to , 2026)*

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**Preamble**

WHEREAS the Government of Alberta is committed to the growth and development of the tourism industry in Alberta;

WHEREAS Alberta's tourism industry is poised to play a leading role in Alberta's economic future;

WHEREAS destination marketing fees used for the purposes of promoting and developing tourism will support the growth and development of Alberta's tourism industry; and

WHEREAS collaboration among destination marketing organizations, accommodation associations and accommodation

and tourism experience providers will drive shared growth of the tourism industry across Alberta;

THEREFORE HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of Alberta, enacts as follows:

## **Part 1 Interpretation and Application**

### **Interpretation**

**1(1)** In this Act,

- (a) “accommodation” means lodging that is provided for consideration in Alberta in a hotel, motel, apartment building, hostel, lodging house, boarding house, bed and breakfast, residential unit, private campground, club or other similar establishment prescribed by the regulations, including the right to use lodging acquired with the purchase of a prepaid vacation package, but does not include
  - (i) premises that are the subject of a residential tenancy agreement under the *Residential Tenancies Act*,
  - (ii) a mobile home as defined in the *Mobile Home Sites Tenancies Act*,
  - (iii) a room that does not contain a bed and that is used for displaying merchandise, entertaining or holding meetings or receptions,
  - (iv) lodging that is provided in
    - (A) a social care facility as defined in regulations made under the *Public Health Act*,
    - (B) a continuing care home or supportive living accommodation as defined in the *Continuing Care Act*, or
    - (C) an approved hospital as defined in the *Provincial Health Agencies Act*,
  - (v) lodging that is provided by a registered charity within the meaning of the *Income Tax Act* (Canada),

other than in an establishment owned or operated by a registered charity that is normally used for lodging in connection with a course of instruction,

(vi) lodging that is provided by a person who is not in the business of selling lodging, in temporary housing that is owned by that person or managed by or on behalf of that person, to

(A) an employee of that person, or

(B) an independent contractor engaged by that person to provide services,

or

(vii) any other lodging or class of lodging prescribed by the regulations;

(b) “accommodation association” means a person designated as an accommodation association under section 4;

(c) “designated” means, in relation to a destination marketing organization, accommodation association or trustee, designated by the Minister under this Act;

(d) “destination marketing fee” means a fee charged on the purchase price of an accommodation or tourism experience for a geographic area for the purposes prescribed in the regulations;

(e) “destination marketing organization” means a person designated as a destination marketing organization under section 3;

(f) “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act;

(g) “online broker” means the operator of an online marketplace;

(h) “online marketplace” means a digital accommodation platform through which transactions between an operator and a purchaser relating to accommodation or a tourism experience located in Alberta are enabled or facilitated for a fee, subscription, commission or other consideration;

- (i) “operator” means a person who sells, offers for sale or otherwise provides accommodation or a tourism experience in Alberta;
  - (j) “prepaid vacation package” means a transaction under which an operator agrees to sell or otherwise provide accommodation or a tourism experience to a purchaser at a future date or dates and under which the purchaser does not acquire a fee simple interest in real property;
  - (k) “purchase price” means
    - (i) the consideration given for accommodation or a tourism experience,
    - (ii) if the accommodation or tourism experience is provided with meals, transportation or other goods or services, the amount of the consideration that is, in the Minister’s opinion, reasonably attributable to the accommodation or tourism experience alone,
    - (iii) if any portion of the consideration given for accommodation or a tourism experience is other than money, the price
      - (A) of similar accommodation rented or available for rent to another person by the same operator on the day or days the purchaser occupies the accommodation,
      - (B) of a similar tourism experience sold or available for sale to another person by the same operator on the day or days the purchaser acquires the tourism experience, or
      - (C) that is, in the Minister’s opinion, reasonably attributable to the accommodation or tourism experience,
- or
- (iv) if the accommodation or tourism experience is acquired under a prepaid vacation package, the price determined in accordance with the regulations;

- (l) “purchaser” means a person who acquires accommodation or a tourism experience for the purchaser’s own use or for another’s use;
- (m) “tourism experience” means an activity or attraction prescribed in the regulations;
- (n) “trustee” means a person designated as a trustee under section 5.

**(2)** For the purposes of this Act, a fee is a destination marketing fee even if it is described using a term other than “destination marketing fee” if the fee is represented, expressly or by reasonable implication, as being charged for the purpose of destination marketing or tourism promotion of a geographic area.

#### **Application**

**2(1)** This Act applies to an operator who charges a destination marketing fee on the purchase price of an accommodation or tourism experience.

**(2)** An operator may charge a destination marketing fee only in a geographic area for which

- (a) a destination marketing organization has been designated, and
- (b) if applicable, an accommodation association has been designated.

**(3)** An operator is not required to charge a destination marketing fee.

**(4)** This Act does not apply in respect of a tourism levy under the *Tourism Levy Act*.

**(5)** This Act does not apply in respect of a program prescribed by the regulations under which a fee is imposed on the purchase price of an accommodation or tourism experience for destination marketing purposes.

## **Part 2 Designation of Entities**

### **Designation of destination marketing organizations**

**3(1)** The Minister may, by order, designate a person as the destination marketing organization for a geographic area if the Minister is satisfied that the person meets the requirements of this Act and the regulations.

**(2)** The Minister may designate only one destination marketing organization for a geographic area.

**(3)** A designated destination marketing organization has the purposes, duties and responsibilities prescribed by the regulations.

**(4)** To be eligible for designation, a person must be

- (a) incorporated as a society under the *Societies Act*, or
- (b) registered as a company under Part 9 of the *Companies Act*.

**(5)** A person may apply for designation by submitting to the Minister, in the form and manner determined by the Minister, an application that includes

- (a) a business plan that describes the geographic area for which designation is sought, and
- (b) any other information prescribed by the regulations.

**(6)** If more than one application is made in respect of the same or an overlapping geographic area, the Minister may

- (a) designate one applicant as the destination marketing organization for the geographic area, or
- (b) advise one or more applicants to revise the geographic area described in their application.

**(7)** An order under subsection (1) may include any terms or conditions the Minister considers appropriate.

### **Designation of accommodation associations**

**4(1)** The Minister may, by order, designate a person as the accommodation association for a geographic area if the Minister is satisfied that the person meets the requirements of this Act and the regulations.

**(2)** The Minister may designate a person under subsection (1) only if a destination marketing organization has been designated for the geographic area.

**(3)** The Minister may designate only one accommodation association for a geographic area.

**(4)** A designated accommodation association has the purposes, duties and responsibilities prescribed by the regulations.

**(5)** To be eligible for designation, a person must be

- (a) incorporated as a society under the *Societies Act*, or
- (b) registered as a company under Part 9 of the *Companies Act*.

**(6)** A person may apply for designation by submitting to the Minister, in the form and manner determined by the Minister, an application that includes information prescribed by the regulations.

**(7)** If more than one application is made in respect of the same or an overlapping geographic area, the Minister may

- (a) designate one applicant as the accommodation association for the geographic area, or
- (b) advise one or more applicants to revise the geographic area described in their application.

**(8)** An order under subsection (1) may include any terms or conditions the Minister considers appropriate.

### **Designation of trustees**

**5(1)** The Minister may, by order, designate a person as a trustee for a geographic area if the Minister is satisfied that the person meets the requirements of this Act and the regulations.

(2) The Minister may designate a person under subsection (1) only if a destination marketing organization has been designated for the geographic area.

(3) The Minister may designate only one trustee for a geographic area.

(4) A designated trustee has the purposes, duties and responsibilities prescribed by the regulations.

(5) To be eligible for designation as a trustee, a person must be

- (a) a registered trust corporation under the *Loan and Trust Corporations Act*,
- (b) a chartered professional accountant in good standing with the Chartered Professional Accountants of Alberta, or
- (c) a professional corporation registered under the *Chartered Professional Accountants Act*.

(6) A person may apply for designation by submitting to the Minister, in the form and manner determined by the Minister, an application that includes information prescribed by the regulations.

(7) If more than one application is made in respect of the same or an overlapping geographic area, the Minister may

- (a) designate one applicant as the trustee for the geographic area, or
- (b) advise one or more applicants to revise the geographic area described in their application.

(8) An order under subsection (1) may include any terms or conditions the Minister considers appropriate.

#### **Refusal of designation**

**6(1)** For the purposes of this section and section 7, “conviction” means a conviction for

- (a) an offence under this Act, or
- (b) an offence under any criminal or other law in force in Alberta or another jurisdiction that, in the Minister’s

opinion, indicates that the person convicted is unsuitable to be designated under this Act.

**(2)** The Minister may refuse to designate a person as a destination marketing organization, accommodation association or trustee if

- (a) the person does not meet the eligibility requirements for designation under this Act,
- (b) the person makes a false statement in the application,
- (c) the person provides false information to the Minister,
- (d) the person refuses to provide information required under this Act or the regulations,
- (e) the person was previously designated under this Act and the designation was suspended or cancelled,
- (f) in the opinion of the Minister, the designation of the person is not in the public interest,
- (g) the person has contravened an enactment of Alberta or Canada that, in the Minister's opinion, indicates that the person would be unsuitable to be designated, or
- (h) within the 5 years preceding the application, the person or any of its principals, directors or managers
  - (i) was convicted, or
  - (ii) is serving a sentence imposed under a conviction.

**(3)** The Minister must refuse to designate a person as a destination marketing organization if a destination marketing organization has already been designated for the geographic area.

**(4)** The Minister must refuse to designate a person as an accommodation association if

- (a) an accommodation association has already been designated for the geographic area, or
- (b) no destination marketing organization has been designated for the geographic area.

**(5)** The Minister must refuse to designate a person as a trustee if

- (a) a trustee has already been designated for the geographic area,
  - (b) no destination marketing organization has been designated for the geographic area, or
  - (c) the Minister has reasonable grounds to believe that the person will contravene this Act or any other enactment.
- (6) Before refusing to designate a person, the Minister must
- (a) notify the person of the reasons why the application may be refused, and
  - (b) provide the person with an opportunity to make representations to the Minister's designate.
- (7) If, after complying with subsection (6), the Minister decides to refuse to designate a person, the Minister must give written reasons for the decision to the person.

**Suspension or cancellation of designation**

- 7(1)** The Minister may suspend or cancel the designation of a destination marketing organization, accommodation association or trustee if
- (a) the destination marketing organization, accommodation association or trustee no longer meets the requirements of this Act or the regulations,
  - (b) the destination marketing organization, accommodation association or trustee has notified the Minister in writing that it has ceased to operate,
  - (c) the destination marketing organization, accommodation association or trustee has, in the opinion of the Minister, contravened
    - (i) this Act or the regulations, or
    - (ii) any other enactment of Alberta or Canada that, in the Minister's opinion, indicates that the entity is unsuitable to maintain a designation,

- (d) the destination marketing organization, accommodation association or trustee, or any of its principals, directors or managers,
    - (i) has been convicted, or
    - (ii) is serving a sentence imposed under a conviction,or
  - (e) being a trustee, the trustee fails to pay a fine imposed under a conviction or fails to comply with an order made in relation to a conviction.
- (2)** Before suspending or cancelling a designation under subsection (1), the Minister must
- (a) give the destination marketing organization, accommodation association or trustee at least 15 days' written notice of the proposed suspension or cancellation, and
  - (b) provide the destination marketing organization, accommodation association or trustee with an opportunity to make representations to the Minister's designate.
- (3)** Despite subsection (2), the Minister may suspend the designation of a trustee without prior notice or an opportunity to make representations if the trustee is being investigated under this Act or any other enactment of Alberta or Canada.

### **Part 3**

## **Destination Marketing Fees**

#### **Destination marketing fees**

- 8(1)** An operator may charge a destination marketing fee to a purchaser of accommodation or a tourism experience in the geographic area for which the destination marketing organization is designated under this Act.
- (2)** A destination marketing fee must be charged at a rate
- (a) established for the destination marketing area, and
  - (b) if the regulations prescribe a rate or a manner of determining a rate, in accordance with the regulations.

- (3) An operator who charges a destination marketing fee under subsection (1) must
- (a) charge the destination marketing fee to the purchaser at the time of the purchase, and
  - (b) collect the destination marketing fee from the purchaser as an agent for the trustee.
- (4) A destination marketing fee levied under this section constitutes a debt due to the trustee and is recoverable by the trustee in an action in debt.
- (5) No operator or online broker shall charge a fee to a purchaser for the administrative costs associated with charging, collecting or remitting a destination marketing fee.
- (6) Despite subsection (3), nothing in this Act or the regulations requires an operator to charge a destination marketing fee.

#### **Remittance to trustee**

- 9(1)** An operator who collects a destination marketing fee must remit the fee to the trustee designated for the geographic area in which the fee was collected, in accordance with the regulations.
- (2) An operator must remit the full amount of the destination marketing fee collected.
- (3) If a destination marketing fee is collected through an online marketplace by an online broker, the operator remains responsible for remitting the fee in accordance with subsection (1).
- (4) An online broker is not liable for an operator's failure to remit a destination marketing fee.

#### **Records**

- 10(1)** An operator must keep records that are sufficient to enable the trustee or an inspector to determine whether the operator has complied with this Act.
- (2) The records must be kept and retained
- (a) for the period prescribed by the regulations, and
  - (b) in the manner prescribed by the regulations.

(3) The records must be kept at the operator's place of business in Alberta or at any other place approved by the trustee.

(4) An operator must make the records available for inspection by the Minister, the trustee or an inspector.

**Transfer of fees by trustee**

**11(1)** If no accommodation association is designated for a geographic area, the trustee must transfer all destination marketing fees remitted in respect of that area to the destination marketing organization designated for that area.

(2) If an accommodation association is designated for a geographic area, the trustee must transfer the destination marketing fees remitted in respect of that area to the destination marketing organization and the accommodation association in the proportions or amounts prescribed by, or determined in accordance with, the regulations.

(3) A transfer under this section must be made in accordance with the regulations.

**Destination marketing fees held in trust**

**12(1)** A trustee holds destination marketing fees remitted by operators in trust for the destination marketing organization and, if applicable, the accommodation association entitled to receive the fees under section 11.

(2) A trustee must

- (a) deposit destination marketing fees received from an operator, without deduction, into a trust account maintained at a bank, trust corporation, credit union or treasury branch in Canada,
- (b) not invest destination marketing fees, and
- (c) not commingle destination marketing fees with the trustee's own funds or any other trust funds.

(3) A trust account for destination marketing fees must

- (a) be clearly identified as a trust account for destination marketing fees,

- (b) be maintained separate and apart from the trustee's own funds and any other trust accounts maintained by the trustee, and
  - (c) be subject to audit in accordance with the regulations.
- (4) Destination marketing fees held in trust are not subject to attachment, seizure or execution at the instance of a creditor of the trustee.
- (5) A trustee must comply with any additional requirements respecting the trust that are prescribed by the regulations.

**Permitted uses of destination marketing fees**

- 13(1)** A destination marketing organization or accommodation association must use destination marketing fees received under this Act only for purposes prescribed by the regulations.
- (2) A destination marketing organization or accommodation association shall not
- (a) use destination marketing fees for a purpose other than a purpose prescribed by the regulations, or
  - (b) transfer any portion of destination marketing fees to a municipality or any other person, except as payment for goods or services provided to the destination marketing organization or accommodation association for a purpose prescribed by the regulations.
- (3) This section does not apply to revenue received by a destination marketing organization or accommodation association from sources other than destination marketing fees, including membership dues, grants or private contributions.

## **Part 4 Appeals**

**Appeal to Court**

- 14(1)** A person who is the subject of a decision of the Minister under section 6, 7 or 20 may appeal the decision to the Court of King's Bench by filing and serving the Minister with a notice of appeal within 30 days after being notified in writing of the decision.

(2) An appeal under this section may be made on a question of law or jurisdiction only.

(3) On hearing an appeal, the Court may

- (a) confirm, vary or quash the decision, or
- (b) refer the matter back to the Minister for further consideration in accordance with any direction the Court considers appropriate.

(4) An appeal under this section does not operate as a stay of the decision being appealed unless the Court orders otherwise.

## **Part 5 Compliance and Enforcement**

### **Appointment of inspectors**

**15(1)** The Minister may appoint inspectors for the purposes of administering and enforcing this Act.

(2) The Minister must provide an inspector with a certificate of appointment.

(3) An inspector who enters a place under this Act must produce the certificate of appointment on request.

### **Inspections**

**16(1)** An inspector may, at any reasonable time, enter the business premises of an operator or trustee to conduct an inspection for the purpose of ensuring compliance with this Act and the regulations.

(2) In conducting an inspection, an inspector may

- (a) require the production of any books, records or documents related to the administration of this Act,
- (b) examine and make copies of them, and
- (c) temporarily remove them for the purpose of making copies.

(3) An inspector who removes books, records or documents under subsection (2)(c) must

- (a) give a receipt for them to the person from whom they were taken, and
- (b) return them within a reasonable time.

**(4)** An operator or trustee must give all reasonable assistance to the inspector and provide any information the inspector reasonably requires for the inspection.

**(5)** For greater certainty, an inspector may not enter a private dwelling to conduct an inspection under this section without the consent of the occupant.

### **Investigations**

**17(1)** The Minister may direct an inspector to conduct an investigation if the Minister

- (a) receives a complaint, or
- (b) has reasonable grounds to believe that a person may have contravened this Act or the regulations.

**(2)** For the purposes of an investigation, an inspector has all the powers and duties of an inspector conducting an inspection under section 16.

### **Order to enter**

**18(1)** An inspector may apply to the Court of King's Bench for an order under this section if

- (a) the inspector is refused entry to premises under section 16 or 17,
- (b) the inspector has reasonable grounds to believe that entry will be refused, or
- (c) the inspector is impeded or prevented from conducting an inspection or investigation.

**(2)** The Court may grant an order authorizing the inspector to enter the premises and exercise the powers set out in section 16 or 17 if the Court is satisfied that there are reasonable grounds to believe that

- (a) entry has been or will be refused, or

- (b) the inspector has been or will be impeded or prevented from conducting the inspection or investigation.

(3) An order under this section may contain any terms or conditions the Court considers appropriate.

### **Injunction**

**19(1)** If it appears to the Minister that a person has contravened, is contravening or is about to contravene this Act or the regulations, the Minister may apply to the Court of King's Bench for an injunction.

(2) On an application under subsection (1), the Court of King's Bench may grant an injunction

- (a) restraining the person from continuing or repeating the contravention, or
- (b) directing the person to do any act that, in the opinion of the Court, may prevent or remedy the contravention.

(3) The Court may grant an injunction under subsection (1) without proof of damage or that the Minister has an adequate remedy at law.

### **Administrative penalties**

**20(1)** Where the Minister is of the opinion that a person has contravened a provision of this Act or a regulation prescribed in the regulations, the Minister may, by notice in writing, impose an administrative penalty on that person in the prescribed amount.

(2) A notice under subsection (1) must

- (a) be served in the prescribed manner, and
- (b) contain the prescribed information.

(3) A person who pays an administrative penalty in respect of a contravention shall not be charged with an offence under this Act in respect of the same contravention.

(4) An administrative penalty must be paid within the prescribed time.

(5) An administrative penalty that is not paid within the prescribed time constitutes a debt due to the Crown and may be recovered by an action in debt.

### **Offences**

**21(1)** A person commits an offence if the person

- (a) knowingly makes a false statement of fact or knowingly misrepresents any fact or circumstance in an application or other document submitted to the Minister under this Act or the regulations,
- (b) charges a destination marketing fee in a geographic area in which no destination marketing organization has been designated under this Act,
- (c) retains any portion of a destination marketing fee collected from a purchaser, or
- (d) as a trustee, fails to transfer the full amount of destination marketing fees in accordance with this Act or the regulations.

**(2)** A person convicted of an offence under this Act is liable

- (a) to a fine of not more than 3 times the amount obtained by the person as a result of the offence,
- (b) to imprisonment for a term of not more than 2 years, or
- (c) to both a fine and imprisonment.

**(3)** A prosecution for an offence under this Act must not be commenced more than 3 years after the day on which the offence was committed.

**(4)** In addition to any penalty imposed under subsection (2), the court may order a person convicted of an offence to pay restitution to any person who suffered loss as a result of the offence.

## **Part 6 General**

### **Annual reports**

**22(1)** A destination marketing organization and, if applicable, an accommodation association must prepare and submit to the Minister, as soon as practicable after the end of the fiscal year and in a form and manner satisfactory to the Minister, an annual report respecting the activities of the destination marketing organization and accommodation association during that fiscal year.

**(2)** A report must contain the information prescribed by the regulations.

### **Regulations**

**23** The Minister may make regulations

- (a) respecting applications for designation, including
  - (i) the form and manner of applications, and
  - (ii) the information required to be provided in an application;
- (b) respecting the interpretation and application of the definition of “destination marketing fee”, including prescribing fees or classes of fees that are destination marketing fees and fees or classes of fees that are not destination marketing fees for the purposes of this Act;
- (c) respecting exemptions from the application of this Act, including prescribing programs, fees or destination marketing areas for the purposes of section 2(5), and any conditions or limitations applicable to an exemption;
- (d) respecting eligibility requirements for designation and the ongoing requirements to maintain a designation under this Act;
- (e) respecting the term, renewal, expiry and conditions of a designation under this Act;
- (f) respecting matters arising from the suspension or cancellation of a designation, including the handling or disposition of destination marketing fees;

- (g) prescribing the purposes, duties and responsibilities of destination marketing organizations, accommodation associations and trustees;
- (h) respecting destination marketing fees, including
  - (i) their collection and remittance,
  - (ii) the purposes and uses of destination marketing fees, including the specific activities or programs that constitute destination marketing or tourism development,
  - (iii) prescribing a rate or a manner of determining a rate for the purposes of section 8(2), and
  - (iv) prescribing the proportions or amounts of destination marketing fees to be transferred under section 11(2), or the manner of determining those proportions or amounts;
- (i) respecting what constitutes, or does not constitute, administrative costs for the purposes of section 8(5);
- (j) respecting accommodation and tourism experiences, including
  - (i) prescribing activities and attractions as tourism experiences for the purposes of the definition in section 1(1)(m),
  - (ii) prescribing lodgings or classes of lodging, and the circumstances under which they are, or are not, accommodation for the purposes of this Act, and
  - (iii) prescribing the method for determining the purchase price of accommodation or tourism experiences, including those acquired under a prepaid vacation package;
- (k) respecting records and documents, including
  - (i) records and documents to be maintained by an operator or trustee, and
  - (ii) the period for which records and documents must be maintained;

- (l) respecting trusts established under this Act, including
  - (i) the maintenance and audit of trust accounts,
  - (ii) who is entitled to receive destination marketing fees held in trust,
  - (iii) the transfer of destination marketing fees held in trust, and
  - (iv) additional requirements respecting the management of destination marketing fees held in trust;
- (m) respecting administrative penalties, including
  - (i) prescribing the acts or omissions in respect of which an administrative penalty may be imposed,
  - (ii) prescribing the amounts of the administrative penalties, and
  - (iii) respecting the administration of administrative penalties;
- (n) respecting annual reports required under this Act, including the information to be contained in an annual report;
- (o) prescribing anything required or permitted by this Act to be prescribed by regulation;
- (p) defining any word or expression used in this Act or the regulations and not defined in this Act;
- (q) respecting any other matter the Minister considers necessary or advisable for carrying out the purposes of this Act.

## **Part 7 Transitional Provisions, Consequential Amendments and Coming into Force**

### **Transitional**

**24(1)** Despite any other provision of this Act, during the period beginning on the coming into force of this Act and ending on December 31, 2026,

- (a) a destination marketing organization, accommodation association or operator may continue to charge, collect and remit a destination marketing fee that was being charged, collected or remitted immediately before the coming into force of this Act, and
- (b) a destination marketing organization, accommodation association or trustee that is not designated under this Act may continue to operate for the purposes of destination marketing during that period.

**(2)** During the transition period referred to in subsection (1), a destination marketing organization, accommodation association, trustee or operator must take reasonable steps to come into compliance with this Act and the regulations, including applying for designation where required.

**(3)** On and after January 1, 2027, this Act applies in full and no person may operate as a destination marketing organization, accommodation association or trustee, or charge or collect a destination marketing fee, except in accordance with this Act and the regulations.

### **Amends RSA 2000 cC-26.3**

**25** The *Consumer Protection Act* is amended by adding the following after section 23:

## **Division 4 Price Transparency**

### **Price transparency**

**23.1(1)** In this section,

- (a) “accommodation” has the same meaning as in the *Traveller Protection and Destination Development Act*;

- (b) “accommodation provider” means a supplier who sells, offers for sale or otherwise provides accommodation or a tourism experience;
- (c) “mandatory fees and charges” means any fee, charge, levy or assessment, however characterized, required to be paid to an accommodation provider in order to purchase accommodation or a tourism experience, but does not include
  - (i) a tax imposed by a government authority, or
  - (ii) a fee or charge that is contingent on actions or usage after the transaction is entered into, including charges for smoking, parking or food services;
- (d) “tourism experience” has the same meaning as in the *Traveller Protection and Destination Development Act*.

(2) An accommodation provider must disclose all mandatory fees and charges at the time of booking an accommodation or a tourism experience.

(3) On request, an accommodation provider must disclose, before the transaction is entered into, the purpose of each mandatory fee or charge and how the funds collected will be used.

**NOTE: 25** Division 4 Price Transparency.

#### **Coming into force**

**26** This Act comes into force on Proclamation.

**NOTE: 26** Coming into force.



**RECORD OF DEBATE**

Stage	Date	Member	From	To
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>
<b>Stage</b>	<b>Date</b>	<b>Member</b>	<b>From</b>	<b>To</b>
		<b>Interventions</b>	<b>From</b>	<b>To</b>