

# *The Hotel Keepers Act*

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Chapter H-11 of *The Revised Statutes of Saskatchewan, 1978* (effective February 26, 1979) as amended by the *Statutes of Saskatchewan, 1984-85-86, c.16; 1986, c.33; 1996, c.5; 2001, c.C-15.1; 2004, c.T-18.1; 2010, c.E-9.22; and 2015, c.21.*

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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## CHAPTER H-11

### An Act respecting Hotel, Boarding House and Lodging House Keepers

#### Short title

**1** This Act may be cited as *The Hotel Keepers Act*.

**2 to 7 Repealed.** 2001, c. C-15.1, s.35.

#### LIABILITY OF KEEPERS OF HOTELS, BOARDING HOUSES AND LODGING HOUSES

##### Liability of hotel keeper for the property of his guests

**8(1)** No hotel keeper shall be liable to compensate a guest of his hotel for loss of or injury to goods or property brought to the hotel, except in the following cases:

- (a) where the goods or property have been stolen, lost or injured through the fault or neglect of the hotel keeper or a servant in his employ;
  - (b) where the goods or property have been deposited with the hotel keeper for safe custody.
- (2) The hotel keeper may require as a condition of his liability that goods or property tendered by a guest for safe custody shall be placed in a box or other receptacle fastened and sealed by the guest.
- (3) If a hotel keeper refuses to receive for safe custody any goods or property of a guest, or if the guest, through any default of the hotel keeper, is unable to deposit such goods or property for safe custody, the hotel keeper shall not be entitled to the benefit of this Act in respect thereof unless he establishes that his hotel was not equipped with a proper safe or vault and that he so informed the guest at the time of refusing to receive the goods or property.
- (4) When a guest deposits money, jewellery, documents or valuables of a similar nature with a hotel keeper for safe custody the hotel keeper shall, at the time of the deposit, give the guest a receipt therefor; and the guest shall surrender the receipt when the property deposited is returned to him.
- (5) Notwithstanding anything in this section, unless deposited with the hotel keeper for safekeeping or checked in a parcel or checking room on the hotel premises, the hotel keeper shall not be responsible for goods or property lost, injured or stolen in a part of his hotel other than the guest room of the owner of the goods or property.

R.S.S. 1978, c.H-11, s.8; 2015, c.21, s.22.

**c. H-11****HOTEL KEEPERS****Responsibility in respect of property in guest rooms**

**9** Notwithstanding anything in this Act, no hotel, boarding house or lodging house keeper shall be responsible for any trunks or valises or their contents, or any parcels or personal effects of any kind, left by a guest in his room, if there is a proper lock and key for the door of the room, unless the room is locked during the absence of the guest therefrom and the key is left at the office.

R.S.S. 1978, c.H-11, s.9.

**Liability in respect of vehicle, etc.**

**10(1)** Notwithstanding anything in section 8, no hotel keeper shall be liable for loss of or injury to a vehicle of a guest or its contents except where the loss or injury occurs when the vehicle is stored or parked in a garage of the hotel or in a car park within the precincts of the hotel or maintained elsewhere by the hotel keeper and where a fee is charged by the hotel keeper for the storage or parking or where the hotel keeper or his servant expressly accepts the vehicle for handling or safekeeping.

(2) In this section “**vehicle**” includes a motor vehicle as defined in *The Traffic Safety Act*, a horse and carriage and chattels used in connection with a vehicle.

R.S.S. 1978, c.H-11, s.10; 1986, c.33, s.13; 2004, c.T-18.1, s.297; 2015, c.21, s.22.

**Copy of sections 8, 9, 10 and 11 to be posted in hotel**

**11** Every hotel keeper shall cause to be kept conspicuously posted in the hall or entrance of his hotel a copy of sections 8, 9 and 10 and this section, printed or plainly written, and he shall be entitled to the benefit of this Act in respect only of goods or property brought to his hotel while such copy is so posted.

R.S.S. 1978, c.H-11, s.11.

**Undesirable persons may be ejected**

**12** A hotel keeper or his representative may require any person whom he deems undesirable, to leave the hotel and, in the event of the person failing to leave, may eject him from the hotel premises.

R.S.S. 1978, c.H-11, s.12.

**EXEMPTIONS****Judgment enforcement exemptions do not apply**

**13** Property exempt from seizure under judgment enforcement is not exempt from seizure when the judgment being enforced is a judgment obtained by a hotel, boarding house or lodging house keeper with respect to an indebtedness incurred for board or lodging supplied by that hotel, boarding house or lodging house keeper.

R.S.S. 1978, c.H-11, s.13; 2010, c.E-9.22, s.162.

## HOTEL KEEPERS

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## REGISTER OF GUESTS

**Duty of hotel keeper**

**14** Every hotel keeper shall keep in the hotel a register or record in which shall be entered the name and usual place of residence of every person admitted as a guest in the hotel and occupying a room therein alone or with any other person, together with the number of the room so occupied; and a hotel keeper shall be entitled to the benefit of this Act in respect only of goods or property brought to this hotel while such register or record is so kept.

R.S.S. 1978, c.H-11, s.14.

## DISTURBANCES

**Offences and penalties**

**15(1)** A person who:

- (a) makes a disturbance in a hotel and, having been requested by the hotel keeper or his agent to desist, continues to make or again makes a disturbance; or
- (b) having made such disturbance, fails to leave the hotel premises forthwith after being required by the hotel keeper to do so;

is guilty of an offence and liable on summary conviction to a fine of \$250.

(2) A hotel keeper or agent thereof who:

- (a) knowing of any disturbance in the hotel, fails to request the disturber to desist; or
- (b) having made such request and in case of continuation or recreation of a disturbance, fails to require the disturber to leave the hotel premises forthwith;

is guilty of an offence and liable on summary conviction to a fine of \$250.

R.S.S. 1978, c.H-11, s.15; 1984-85-86, c.16, s.11,  
1996 c.5, s2.

