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**THE TOURISM LAW**

**(1995 Revision)**

**THE TOURISM REGULATIONS**

**(1996 Revision)**

Revised under the authority of the Law Revision Law (19 of 1975).

The Tourism Regulations, 1974 (G.N.114 of 1974) made the 25th June, 1974.

Consolidated with the-

Tourism (Amendment) Regulations, 1985 made the 19th February, 1985  
Tourism (Amendment) Law 1994 (Law 6 of 1994) (part) enacted the 14th  
September, 1994.

Consolidated and revised this 26th day of March, 1996.



\* I desire to appear in person.

*\*Delete if inappropriate.*

Signed \_\_\_\_\_ Operator \_\_\_\_\_ Date \_\_\_\_\_

Form TL6

**TOURISM LAW**

**(1995 Revision)**

**(Section 12)**

To the Minister of Tourism (per the Director of Tourism)

This is to give notice that I intend to apply to the Central Planning Authority/Development Control Board under the Development and Planning Law (1995 Revision) for planning permission the carry out the development specified in the application, a copy of which is enclosed, and that the application, if granted, would affect the availability of tourist accommodation in the Islands in the manner shown in the said application.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Copy to the Central Planning Authority/Development Control Board.

I certify that the original of this notice was served upon the Director of Tourism on the \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Publication in consolidated and revised form authorised by the Governor in Council this 26th day of March, 1996.

Mona N. Banks-Jackson  
Clerk of Executive Council

**TOURISM REGULATIONS**

**(1996 Revision)**

**ARRANGEMENT OF REGULATIONS**

- 1. Citation
  - 2. Fees
  - 3. Forms
  - 4. Register of licences
  - 5. Minimum requirements
  - 6. Travelling expenses
  - 7. Hospitality expenses
  - 8. Appeals
- Schedule: Forms

by the Hotels Licensing Board with effect from \_\_\_\_\_ :

Provided that if, by the \_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_ you have complied with the conditions annexed hereto, such suspension shall not be put into effect.

You are further informed that if you are aggrieved by this decision you have, under section 11, a right to appeal to the Governor in Council, and a form of appeal is enclosed for your use should you wish to avail yourself of the said right.

To \_\_\_\_\_

From \_\_\_\_\_ Date \_\_\_\_\_

Hotels Licensing Board  
by Director of Tourism

Served by \_\_\_\_\_ Date \_\_\_\_\_

**FORM TL5**

**TOURISM LAW**

**(1995 Revision)**

**(Section 11)**

**NOTICE OF APPEAL**

To the Clerk of the Executive Council

From \_\_\_\_\_ Operator of Licence No. \_\_\_\_\_

I, \_\_\_\_\_ of \_\_\_\_\_  
operator of the above licence, being aggrieved by the decision of the Hotels Licensing Board withholding/revoking/suspending/failing to renew\* my above licence, *\* Delete as necessary.*

hereby appeal thereagainst upon the grounds set forth in the memorandum annexed hereto and signed by me.

I enclose herewith a copy of the notice of suspension/revocation. \*  
*\*Delete as necessary.*

Form TL3

TOURISM LAW

(1995 Revision)

(Section 8 (11) )

LICENCE TO OPERATE A TOURIST ACCOMMODATION

This is to certify that \_\_\_\_\_ of \_\_\_\_\_  
is licensed by the Hotels Licensing Board to operate the (a) guesthouse (b)  
cottage colony (c) apartments (d) hotel\* known as \_\_\_\_\_

located at \_\_\_\_\_  
for the accommodation of a maximum of \_\_\_\_\_ persons in compliance with  
the Tourism Law (1995 Revision) and the Tourism Regulations (1996 Revision).

*\*Delete as necessary.*

Date of expiry \_\_\_\_\_

Signed \_\_\_\_\_

Hotels Licensing Board  
by Director of Tourism (Space for renewals)

Form TL4

TOURISM LAW

(1995 Revision)

(Section 9 (3) )

This is to give notice that by reason of your non-compliance with the minimum  
requirements of the Tourism Regulations (1996 Revision) as specified on the  
back hereof, your licence No. \_\_\_\_\_ to operate the tourist  
accommodation known as \_\_\_\_\_  
located at \_\_\_\_\_ is \*revoked

\*suspended

*\*Delete as applicable*

TOURISM REGULATIONS

(1996 Revision)

1. These Regulations may be cited as the Tourism Regulations (1996 Citation  
Revision).

2. The fees required to be prescribed by section 8(2) and (5) are ten dollars in Fees  
respect of each bedroom maintained for the accommodation of guests, with a  
minimum of one hundred and twenty dollars for each category of tourist  
accommodation.

3. The forms required to be prescribed by section 8(2), (5) and (11), section Forms  
9(3) and section 12 are contained in the Schedule hereto as forms TL1, TL2,  
TL3, TL4 and TL6.

4. The Director shall maintain a register of licenses currently issued under this Register of licences  
Law and records of all other information collected for the purpose of the function  
of the Minister and of the Department in such manner and by such methods as  
appear to him expedient, and shall in his discretion disseminate such information  
by advertisement and other media for the promotion and benefit of the tourist  
industry, and shall furnish such statistics and other guidance to persons engaged  
in the tourist industry as are likely to benefit therefrom.

5. The minimum requirements in respect of accommodation for the purposes Minimum requirements  
of section 15 (d) are-

- (a) bedrooms and public spaces to be adequately furnished and  
provided with reasonable floor covering;
- (b) premises, including the curtilage, to be maintained in good order  
and condition;
- (c) employees to be properly trained, supervised and dressed, and  
sufficient in number to carry out their duties efficiently;
- (d) food supplied to be wholesome and adequate;
- (e) toilet facilities to be of modern design, maintained in a condition  
of scrupulous cleanliness and properly equipped and serviced;
- (f) an adequate supply of ablution and drinking water to be provided  
and (in the case of hotels) running water in all bedrooms;
- (g) hygiene arrangements (including pest control) to be of a high  
standard;
- (h) guests in bedrooms not to be exposed to unreasonable noise;

- (i) adequate security arrangements for the protection of guests and their property and reasonable security precautions for the checking in of guests;
  - (j) telephone facilities provided at reasonable charge;
  - (k) priced menus supplied for all meals, describing the fare in English in addition to any other language used;
  - (l) price lists of soft and alcoholic drinks displayed in rooms where such drinks are served to the public; and
  - (m) printed rates of charges for all rooms or other units available in the reception area.
- (2) Further general minimum requirements for the purpose of section 15(d) are-
- (a) no discrimination against any prospective guest on grounds of race, origin, political opinion, creed or membership or otherwise of any club or other organised body;
  - (b) no entertainment provided that is calculated to offend normal standards or decorum;
  - (c) operators to give all reasonable assistance in the promotion of such training schemes as the Director may institute, from time to time, for the purpose of improving the skill and efficiency of staff generally;
  - (d) no misleading or inaccurate statement to be made to the public in or by any advertisement or other medium for the purpose of attracting guests;
  - (e) the display in suitable public rooms of such information on public transport and such brochures and other literature as may be supplied for the purpose by the Director from time to time;
  - (f) bars on the premises to be furnished to reasonable standards of comfort and prices to be commensurate with the portions of drink sold and the amenities provided;
  - (g) in describing accommodation the following symbols to have the meanings ascribed to them-
    - a= air-conditioned (with reference to a bedroom);
    - A= all bedrooms air-conditioned;
    - B= bathtubs and toilet facilities in all bedrooms;
    - E= public entertainment or dancing at least once a week;
    - F= direct access to the beach for bathing;
    - H= hot water provided in all bedrooms and washrooms;
    - L= liquor licence;
    - R= restaurant available to non-residents;
    - S= swimming pool; and

FormTL2

TOURISM LAW

(1995 Revision)

(Section 8 (5) )

APPLICATION FOR RENEWAL OF A LICENCE

To the Hotels Licensing Board  
through the Director of Tourism.

I apply for a renewal of the licence referred to below:

From \_\_\_\_\_ (Operator) \_\_\_\_\_  
Licence No. \_\_\_\_\_  
Address \_\_\_\_\_  
Name and location of accommodation \_\_\_\_\_

Enclosed is the licence now about to expire.

\* No relevant change has been made in the accommodation since the issue of the above licence; or

\* The following alterations have been made to the accommodation since the issue of the above licence:

Fee tendered herewith \_\_\_\_\_ \$ \_\_\_\_\_  
Signed \_\_\_\_\_  
Date \_\_\_\_\_  
\* Delete as appropriate.

SCHEDULE

FORMS

FormTL1

TOURISM LAW

(1995 Revision)

(Section 8 (2) )

APPLICATION FOR A LICENCE TO OPERATE TOURIST  
ACCOMMODATION

To the Hotels Licensing Board  
through the Director of Tourism.

From \_\_\_\_\_ (Operator)  
I apply for a licence under the above Law.  
Address for service of licence \_\_\_\_\_  
Name and location of accommodation \_\_\_\_\_  
Category for which licence is sought-  
(a) guesthouse (b) cottage colony (c) apartments (d) hotel\* (\*Delete as necessary.)  
Maximum number of persons for whom accommodation is offered. \_\_\_\_\_  
Fee tendered herewith \_\_\_\_\_ \$ \_\_\_\_\_  
Name of manager in residence \_\_\_\_\_

If granted a licence I undertake to conform with the Tourism Law (1995  
Revision) and the regulations and in particular with the minimum requirements  
therein set forth.

Signed \_\_\_\_\_

Date \_\_\_\_\_

- T= tennis court;
- (h) as and when required by the Director, returns to be made to the  
Department under the following heads-
- (i) in May and November, returns of accommodation charges  
for the next succeeding six months period from December  
to May and from June to November respectively;
  - (ii) immediate returns of any change of rates quoted in (i);
  - (iii) monthly returns of occupancy of accommodation;
  - (iv) monthly returns of advance bookings covering a period of  
four months from the beginning of the next month  
succeeding the return;
  - (v) an annual return, in each July, showing a percentage  
breakdown of income and expenditure for the past year in  
respect of accounts which have been completed;
  - (vi) a return of persons employed at the quarter year periods  
ending on 31st March, 30th June, 30th September and 31st  
December;
  - (vii) such other returns (not being of a confidential financial  
nature) as the Director may, from time to time, require; and
  - (viii) every change in proprietorship or in the capacity or nature  
of accommodation or amenities offered to the public;
- (i) operators to observe conditions fixed from time to time by the  
Director governing the making of deposits by prospective guests  
and the circumstances in which such deposits shall be refundable;  
and
- (j) operators to conduct their business with courtesy to the public  
and to make no excessive charges.

(3) The requirements in subsections (1) and (2) are independent of and not  
in derogation of the requirements of any other law.

6. Where the Minister or any officer has incurred travelling expenses  
(including expenses of board and lodging) in the course of his duties under this  
Law he may be re-imbursed out of public funds: Travelling expenses

Provided that-

- (a) the re-imbursement is specifically approved in writing by the  
responsible Permanent Secretary;
- (b) the re-imbursement is made from funds expressly allocated for  
the purpose by the Legislative Assembly; and

- (c) the expenses are not incurred in connection with the attendance at the premises of the Department or upon the Council at a meeting held in Grand Cayman.

Hospitality expenses

7. Where the Minister or any officer has incurred expense in extending hospitality to any person in the course of the performance of his duties under this Law he may be re-imbursed such expense:

Provided that-

- (a) the re-imburement is specifically approved in writing by the responsible Permanent Secretary; and
- (b) the re-imburement is made from funds specifically allocated for that purpose by the Legislative Assembly.

Appeals

8. (1) An appeal under section 11 shall be initiated by the appellant serving upon the Clerk of the Executive Council and the Director the completed Form TL5 in the Schedule together with originals or, in the absence of originals, copies of all documents which, in the opinion of the appellant, are relevant to the appeal.

(2) In considering the appeal the Governor may, at his discretion, hear the appellant in person or by his representative who may or may not be an attorney-at-law.

(3) In the event of the Governor deciding to hear the appellant in person or by his representative he shall cause a notice to be served upon the appellant with copy to the Director of the date, time and place where the hearing shall take place, which date shall be within twenty-eight days of the service upon the Clerk of the Executive Council of Form TL5 in the Schedule.

(4) At the hearing of the appeal the Governor shall permit the appellant or his representative to address him, and thereafter may call upon the Director to reply and may then, at his discretion, allow either or both parties to address him further.

(5) The Governor shall, within twenty-eight days of service of the notice of appeal or termination of the hearing under these regulations, whichever is the later, communicate his decision to the appellant and may, but shall not be bound, to give reasons in writing for such decision.

(6) If the Governor's decision is unfavourable to the appellant the Governor may appoint a day before which the appellant shall not be permitted to

make further application for a licence under this Law with respect to the relevant premises.

(7) The Governor may allow an appeal in whole or in part upon such conditions, if any, as he may decide to impose.