

CAYMAN ISLANDS



Supplement No. 4 published with Gazette No. 17 of 1976.

THE HOTEL KEEPERS LIABILITY LAW
(Law 12 of 1972)
(Revised)

Published in revised form under the authority of the Law Revision Law.

Originally enacted 29th September, 1972.

Revised this 16th day of August, 1976.

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**THE HOTEL KEEPERS LIABILITY LAW
(Law 12 of 1972)
(Revised)**

**A LAW TO LIMIT THE COMMON LAW LIABILITY
OF HOTEL KEEPERS**

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| Short title. | 1. This law may be cited as the Hotel Keepers Liability Law (Revised). |
| Interpretation. | <p>2. In this Law, unless the context otherwise requires —</p> <p>“hotel” means any hotel, inn, tavern, public house or other place of refreshment, the keeper of which is now by common law responsible for the goods of his guests;</p> <p>“hotel keeper” means the keeper of an hotel and includes any corporation keeping an hotel; and</p> <p>“goods” includes money, chattels, vehicles, wares or merchandise.</p> |
| Limitation of liability of hotel keeper. | <p>3. With effect from the enactment of this Law, no hotel keeper shall be liable to make good to any guest of such hotel keeper any loss of or injury to goods brought to his hotel, not being a vehicle, to a greater amount than two hundred dollars, except —</p> <p>(a) where such goods are stolen, lost or injured through the wilful default or negligence of such hotel keeper or any servant in his employ; or</p> <p>(b) where such goods are deposited expressly for safe custody with such hotel keeper:</p> <p>Provided that in case of such deposit it shall be lawful for such hotel keeper, if he thinks fit, to require, as a condition of his liability, that such goods shall be deposited in a box or other receptacle, fastened and sealed by the person depositing the goods.</p> |
| Exclusion of hotel keeper from benefit of this law in certain cases. | 4. If any hotel keeper refuses to receive for safe custody, as before mentioned, any goods of his guest, or if any guest is, through any default of such hotel keeper, unable to deposit such goods as aforesaid, then such hotel keeper shall not be entitled to the benefit of this Law, in respect of such goods. |
| Duty of hotel keeper to exhibit copy of section 3 in hotel. | 5. Every hotel keeper shall cause at least one copy of section 3, printed in plain type, to be exhibited in a conspicuous part of the main hall or entrance to his hotel and shall be entitled to the benefit of this Law in respect of such goods only as are brought to his hotel while such copy is exhibited. |
| Conferment of power of sale of goods upon hotel keeper under certain circumstances. | <p>6. (1) Every hotel keeper shall, in addition to his ordinary lien, have the right absolutely to sell and dispose by public auction of any goods which have been deposited by public auction of any goods which have been deposited with him or left in his hotel or in any premises appurtenant or belonging thereto, where the person depositing or leaving such goods becomes indebted to the said hotel keeper either for any board, lodging or refreshment:</p> <p>Provided that no such sale shall be made —</p> <p>(a) until after the said goods have been for the space of six weeks in the</p> |

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- charge or custody of such hotel keeper, or in or upon such premises, without such debt having been paid or satisfied; and
- (b) unless the debt for the payment of which a sale is made is not any other or greater debt than the debt for which the goods could have been retained by the hotel keeper by his lien; and
 - (c) unless at least one month before such sale the hotel keeper has caused to be inserted in a newspaper circulating in the Islands an advertisement containing notice of such intended sale, and giving shortly a description of the goods intended to be sold, together with the name (where known) of the owner or person who deposited or left the goods.
- (2) Such hotel keeper, after having, out of the proceeds of such sale, paid himself the amount of such debt, together with the costs and expenses of such sale, shall on demand pay to the person depositing or leaving any such goods, the surplus (if any) remaining after such sale.

Publication in revised form authorized by the Governor in Council this 16th day of August, 1976.

CHERYL JACKSON
Acting Clerk of the Executive Council.