

CAYMAN ISLANDS



Supplement No. 10 published with Extraordinary
Gazette No.64 dated 29th August, 2014.

**THE TRADE AND BUSINESS LICENSING LAW
(2007 REVISION)**

**THE TRADE AND BUSINESS LICENSING (AMENDMENT OF
SCHEDULE) ORDER, 2014**

CAYMAN ISLANDS

**THE TRADE AND BUSINESS LICENSING LAW
(2007 REVISION)**

**THE TRADE AND BUSINESS LICENSING (AMENDMENT OF
SCHEDULE) ORDER, 2014**

The Cabinet, in exercise of the powers conferred by section 25 of the Trade and Business Licensing Law (2007 Revision), makes the following Order -

1. (1) This Order may be cited as the Trade and Business Licensing (Amendment of Schedule) Order, 2014.

Citation, commencement and expiry

(2) The provisions of this Order shall come into operation on 31st August, 2014 and shall cease to have effect on 30th August, 2015.

(3) Upon the expiration of the provisions of this Order, the Law in force immediately prior to the coming into operation of this Order shall, so far as it is amended by this Order, operate as though this Order had not been made and its provisions had not come into operation.

2. The Schedule to the Trade and Business Licensing Law (2007 Revision) is amended by inserting after the final sentence and fee the following heading and particulars -

Amendment to the Schedule to the Trade and Business Licensing Law (2007 Revision) - fees

“Temporary Reduction in fees for Micro businesses and Small businesses

1. For the purposes of this heading -
 - (a) the “fee” does not include the non-refundable processing fee that is to accompany every application for the grant or renewal of a licence;
 - (b) a “micro business” is a trade or business that -
 - (i) is independently owned and operated with close control over operations and decisions held by the owners and is not a subsidiary of a local or international business;
 - (ii) is a for-profit business; and

- (iii) employs up to four employees, excluding the owner, and had an annual gross revenue not exceeding \$250,000 in the preceding fiscal year;
- (c) a “mobile business” is a business that is not operated from a fixed location but from a pedal cycle, motor cycle, motor car or other motor vehicle ;
- (d) a “small business” is a trade or business that -
 - (i) is independently owned and operated with close control over operations and decisions held by the owners and is not a subsidiary of a local or international business;
 - (ii) is a for-profit business;
 - (iii) employs up to twelve employees, excluding the owner, and had an annual gross revenue not exceeding \$750,000 in the preceding fiscal year;
- (e) the number of employees in a trade or business is determined by -
 - (i) the calculation of the average number of employees of the trade or business based on each of the pay periods for the preceding 12 calendar months and where the trade or business has not been in operation for 12 months, the calculation of the average number of employees of the trade or business for the months that it has been in operation preceding the application;
 - (ii) the inclusion of part-time and temporary employees in the number of full-time employees; and
 - (iii) the exclusion of volunteers or persons who receive no compensation, including payment in kind for work, from the number of full-time employees; and
- (f) the annual gross revenue of a trade or business is determined by the sum total of revenue for the preceding 12 calendar months and where the trade or business has not been in operation for 12 months, a projection of the total annual revenue based on the months for which the trade or business has been in operation.

2. Subject to paragraph 4, where a trade or business is a micro business or a small business, it shall be eligible for a reduction in the respective fees set out under the preceding headings in this Schedule, the applicable reduction being dependent on the location of the trade or business as follows -

Location of trade or business	Percentage reduction on fee	
George Town	Micro business	100%

The Trade and Business Licensing (Amendment of Schedule) Order, 2014

	Small business	50%
West Bay	Micro business	100%
	Small business	50%
East End	Micro business	100%
	Small business	75%
North Side	Micro business	100%
	Small business	75%
Bodden Town	Micro business	100%
	Small business	75%
Little Cayman	Micro business	100%
	Small business	50%
Cayman Brac	Micro business	100%
	Small business	50%

3. Where a trade or business is classified as a “mobile business” the location will be determined by reference to the “block and parcel” on the

trade and business licence or, in the case of an applicant for a licence, the address provided on the application form.

4. For the avoidance of doubt, the reduction in fees provided for under this heading and applicable to micro or small businesses in Cayman Brac and Little Cayman shall be applied to the reduced fee provided for in the proviso to section 14(1) of the Law.

5. The following classes of micro and small businesses are trades and businesses that are excluded from the reduction in fees provided for under this heading -

- (a) providers of auditing services; and
- (b) financial services firms other than insurance agents.

6. Every trade or business seeking to benefit from the reduction in fees provided for under this heading shall provide proof of valid licences from the relevant regulatory or licensing body, other than a licence provided by the Board, and proof of being current with pension and health insurance payments.

7. Applicants for a licence under this Law for the first time that qualify as micro or small businesses and are seeking to access the reduction in fees are required to provide documentary proof of projections in a business plan showing -

- (a) the description of the business and its principals, its product or service, the market it will serve, the owners, and its projected start-up date;
- (b) the projected number of employees in the first year; and
- (c) the projected revenue and profit in the first year.

8. The Board shall be informed immediately of any change to the revenue, the number of employees, ownership and licence of any micro or small business benefitting from the reduction on fees.

9. Failure to inform the Board in accordance with paragraph 8 may result in the disqualification of the micro or small business from benefitting from the reduced fees.

10. The final date for an applicant for the grant or renewal of a licence to be eligible for the reduction in fees, in accordance with the provisions under this heading, is 30th August, 2015.”.

The Trade and Business Licensing (Amendment of Schedule) Order, 2014

Made in Cabinet the 26th day of August, 2014.

Meredith Hew.

Acting Clerk of the Cabinet.