

CAYMAN ISLANDS.

LAW 14 of 1964

I assent,

[L.S.]

J. A. CUMBER,  
*Administrator*

31st August, 1964.

A Law to amend The Liquor Licensing Law, 1955

[ ]

ENACTED by the Legislature of the Cayman Islands.

1 — This Law may be cited as the Liquor Licensing (Amendment) Law, 1964, and shall be read and construed as one with the Liquor Licensing Law, 1955 (hereinafter referred to as the principal Law) and all amendments thereto, and shall come into force on a day to be published by the Administrator by Government Notice.

Short title,  
construction and  
commencement.  
Law 4 of 1955.

2 — Wherever the words "Commissioner", "Governor", "Justices and Vestry" or "Dependency" appear in the principal Law they shall be deleted and the following words substituted therefor respectively: "Administrator", "Administrator", "Legislative Assembly" and "the Cayman Islands".

Amendment of use  
of certain words  
in principal Law.

3 — In Section 2 paragraph 9 of the principal Law the word "bitters" in line two shall be deleted.

Amendment of  
Section 2 of  
principal Law.

Amendment of  
Section 4 of  
principal Law.

4 --- Section 4 subsection 2 of the principal Law is hereby deleted and the following substituted therefor -

“4 (2) - Any such certificate shall be granted only by the Licensing Board or a majority of such Board present at such Licensing Session, provided always that the Chairman of the Licensing Board shall have no original vote and shall have only a casting vote in the event of an equal division of the Board.”.

Amendment of  
Section 14 of  
principal Law.

5 --- Section 14 subsections (2) and (3) of the principal Law are hereby amended as follows:-

- (a) by deleting in subsection (2) the figures £15, £25, £30, £1, £20 and £30 and substituting therefor the following figures respectively, £25, £30, £35, £2. 10. 0, £25 and £35 of the said subsection.
- (b) by adding in subsection (3) the words “or if in tins not less than one case containing not less than twenty-four tins;” to the fourth line of paragraph 2 of the said subsection, and by adding the words “or tins” to the third line of paragraph 6 immediately after the word “bottles” of the said subsection.

Amendment of  
Section 15 of  
principal Law.

6 --- Section 15 subsection (2) of the principal Law is hereby amended by deleting the word “or” in line five and placing a comma immediately after the word “boarder” and inserting the words “or a day tourist” between “boarder” and “for” in line five of this subsection and an additional subsection, subsection (3) is added thereto as follows -

“ (3) For the purposes of subsection (2) above, and Section 22 subsection (4) of this Law, the words “a day tourist” shall mean any tourist off a tourist ship whose stay in the Cayman Islands does not exceed twelve hours:”.

7 — Section 22 subsection (4) of the principal Law is hereby amended by placing a comma immediately after the word “visitor” in line two and by inserting the words “a day tourist” between the words “visitor” and “buys” in the said line two of this subsection.

Amendment of  
Section 22 of  
principal Law.

8 — Immediately following Section 26 of the principal Law there shall be added the following new sections, Section 26A, 26B, 26C and 26D as follows:-

Addition of new  
Sections 26A,  
26B, 26C and  
26D.

“Offence to  
procure in-  
toxicated  
liquor on  
licensed  
premises  
when drunk.

26A - Any person who in or on licensed premises purchases or procures any intoxicating liquor for consumption by any person who in the opinion of the licence holder, his servant or agent, is drunk in or on such licensed premises, shall be guilty of an offence against this Law.

Drunken  
person may  
be requested  
to leave  
licensed  
premises etc.

26B - Any person in or on licensed premises who in the opinion of the licence holder being drunken, violent, quarrelsome or disorderly, and having been requested by the licence holder, his servant or agent, or by any Police Constable to leave the premises fails to do so, shall be guilty of an offence against this Law.

Steps may be  
taken to eject  
drunken  
person from  
licensed  
premises.

26C - Any licence holder, his servant or agent having requested any person who in their opinion is drunken, violent, quarrelsome or disorderly in or on such licensed premises to leave such premises, and such person having refused to do so, may take steps to eject such person from the licensed premises and may make use of such force as may be reasonably necessary under the circumstances to eject him.

Duty of Police  
Constable to  
eject drunken  
person.

26D - Any licence holder, his servant or agent may call upon any Police Constable to eject or to assist in ejecting from licensed premises any person who being drunken or violent or quarrelsome or disorderly, in or on such premises, and having been requested by the licence holder, his servant, or agent has refused to do so; and on being so called upon such Police Constable shall eject or assist in ejecting such person from the licensed premises, and may use such force to do so as may be reasonably necessary under the circumstances.”.

Amendment of  
Section 27 of  
principal Law.

9 — Section 27 of the principal Law is hereby amended by adding the figure “(1)” immediately after the figure “27” in line one of this section and by adding subsection (2) as follows:-

“Power of  
Liquor  
Licensing Board  
to deal with  
refusal to trans-  
fer a licence.

(2) Where the holder of a licence under the Liquor Licensing Law removes for any reason from the premises in respect of which his licence was granted, and ceases to carry on at such premises the business of a licence dealer in liquor, and has not given notice in writing to the Administrator within one month of his removal from such premises of his intention to use such licence in any other proposed premises, such licence holder shall forthwith transfer the licence to the owner or occupier of the premises in respect of which the licence was granted, and if such licence holder refuses or omits to transfer such licence the liquor Licensing Board may at the next quarterly Licensing

Session on the application of the new owner or occupier of such premises revoke the original licence, and receive an application by such new owner or occupier in respect of such premises under the provisions of Section 9 of the Liquor Licensing Law.”.

10 — Section 35 of the principal Law is hereby repealed and replaced by the following section -

Repeal and replacement of section 35 of principal Law.

“Where licence holder incurs a penalty and is outside the Cayman Islands.

35 - Where by the provisions of this Law the holder of a licence is made liable to a penalty in respect of any offence and a charge is preferred alleging such offence, the Summons may be served in the manner for the time being prescribed by Law, or by leaving the same with any person who is apparently a clerk or servant found on the premises for which the licence is granted, or, if no such person can be found, by affixing the same in a conspicuous manner to the outer door or outer wall of the premises.”.

11 — Section 36 subsection (1) of the principal Law is hereby amended as follows -

Amendment of Section 36 of principal Law.

- (a) by adding the words “Chief of Police” between the words “Officer” and “or” in line one and placing a comma after the words “Chief of Police” in this subsection;
- (b) by inserting in subparagraph (c) the word “aircraft” between the words “any” and “ship” in line four and placing a comma after the word “aircraft”;
- (c) by inserting in subparagraph (d) the word “aircraft” between the words “any” and “ship” in line eight and placing a comma after the word “aircraft”.”.

Amendment of  
Section 38 of  
principal Law. 12 — Section 38 of the principal Law is hereby amended by inserting the word “aircraft” between the words “all” and “ships” in line one and placing a comma after the word “aircraft” in this section of the Law.

Amendment of  
Section 39 of  
principal Law. 13 — Section 39 subsection (1) of the principal Law is hereby amended by inserting the word “aircraft” between the words “any” and “ship” in line three and placing a comma after the word “aircraft” in this section of the Law.

Amendment of  
Section 47 of  
principal Law. 14 — Section 47 of the principal Law is hereby amended as follows:-

(a) by deleting in subsection (1) the words “Revenue Officer” in line two and substituting therefor the words “any public officer, or any member of the Cayman Islands Police Force” in this subsection.

(b) by deleting in subsection (2) the words “Revenue Officer” in line one and substituting therefor the words “public officer, or any member of the Cayman Islands Police Force” in this subsection.

Amendment of  
Section 49 of  
principal Law. 15 — Section 49 subsection (2) of the principal Law is hereby amended by substituting a comma for the full stop after the word “year” in line eight of this subsection and adding thereto the following words “and the Liquor Licensing Board on receiving a certificate from the Court that any licence holder has been convicted of a second or any subsequent offence against the Liquor Licensing Law may revoke such offender’s licence”.

Passed by the Assembly this 20th day of January, 1964.

J. A. CUMBER,  
*President.*

SYBIL McLAUGHLIN,  
*Clerk of the Legislative Assembly.*

Published by Government Notice No. 88 of 1964 and came into operation on the 31st day of August, 1964.