

CAYMAN ISLANDS



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THE TOURISM (AMENDMENT) LAW, 1994
(LAW 6 OF 1994)

[The Tourism (Amendment) Law, 1994 - 5]

reasonable precautions and exercised all due diligence to avoid the commission of the offence."

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- Fine.

6. Section 12(1) of the principal Law is amended by repealing "\$500" and substituting "\$1,000".
- Prescribed minimum requirements.

7. Regulation 6 of the Tourism Regulations, 1974, is amended by inserting at the end of paragraph (i) the following words --

"and there must be reasonable security precautions for the checking in of guests;".

Passed by the Legislative Assembly the 14th day of September, 1994.

Law 6 of 1994

I Assent

MICHAEL J GORE
Governor

1st November, 1994

SYBIL McLAUGHLIN
Speaker.

GEORGETTE MYRIE
Clerk of the Legislative Assembly.

A LAW TO AMEND THE TOURISM LAW, 1974
AND THE TOURISM REGULATIONS, 1974

ENACTED by the Legislature of the Cayman Islands.

- Short title and commencement.

1. This Law may be cited as the Tourism (Amendment) Law, 1994, and shall come into force on 1st January, 1995.
- Tourist accommodation.

2. The definition of "tourist accommodation" in section 2 of the Tourism Law, 1974 ("the principal Law"), is amended by repealing the words "and catering for more than six persons per night" and substituting the words "which is provided in the course of a business and is".
- Licences.

3. (1) Section 8 of the principal Law, is amended --

(a) by repealing the words "the 1st day of September" in subsection (2) and substituting the words "the prescribed day"; and

(b) by inserting after subsection (2) the following subsection --

"(2A) For the purposes of subsection (2) "the prescribed day" means –

- (a) in respect of an application for a licence to operate a group of apartments, a cottage colony or a guesthouse, 1st August; and
- (b) in respect of an application to operate a hotel, 1st October."

(2) Subsection (3) of section 8 of the principal Law is repealed and the following subsections substituted –

"(3) Licences granted under this section (including licences in force immediately before the coming into force of this subsection) shall, subject to section 9(2) of this Law, expire –

- (a) on 31st August in each year, in respect of a licence to operate a group of apartments, a cottage colony or a guesthouse; and
- (b) on 31st October in each year, in respect of a licence to operate a hotel.

(3A) Licences shall be renewable upon application made to the Board through the Director in the prescribed form accompanied by the prescribed fee."

(3) Section 8 of the principal Law is amended by inserting after subsection (4C) the following subsection –

"(4D) The grant or renewal of a licence under this section shall be made by the Board –

- (a) on or before 1st September in each year in respect of a licence to operate a group of apartments, a cottage colony or a guesthouse; and
- (b) on or before 1st November in each year in respect of a licence to operate a hotel."

4. Section 9 of the principal Law is amended by repealing the words "and shall inspect all licensed accommodation at least once in every year" in subsection (1) and by inserting after that subsection the following –

"(1A) The Board or any officer shall, at any reasonable time and in order to ascertain whether or not the prescribed minimum requirements are being complied with, inspect at least once in every year –

- (a) all licensed apartments, cottage colonies and guesthouses, on or before 1st July; and

Inspections of
tourist
accommodation.

(b) all licensed hotels, on or before 1st September."

Security at
checking in.

5. After section 9 of the principal Law there shall be inserted the following section –

"Security at
checking in.

9A. (1) An operator who fails to take all reasonable security precautions for the checking in of a tourist at the tourist accommodation which he is licensed to operate shall be guilty of an offence.

(2) For the purposes of this section –

(a) an operator fails to take all reasonable security precautions if –

- (i) he has not been present at the checking in of the tourist and has not delegated supervision of the checking in to an authorised person; or
- (ii) he or an authorised person has left the keys to any part of the licensed tourist accommodation in a place which is not under the immediate supervision of the operator or an authorised person; and

(b) a person is authorised to supervise the checking in of a tourist at licensed tourist accommodation –

- (i) if he has been authorised in writing by the operator of that tourist accommodation in respect of the checking in there of tourists; and
- (ii) the operator has sent a return to the Board giving the prescribed details of each such authorised person.

(3) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding six months or to both.

(4) In any proceedings for an offence under this section, it shall be a defence for the operator charged to prove that he took all