

CAYMAN ISLANDS



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**THE TRADE AND BUSINESS LICENSING LAW, 2014
(LAW 21 OF 2014)**

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SCHEDULE) REGULATIONS, 2016**

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The Cabinet, in exercise of the powers conferred by section 40 of the Trade and Business Licensing Law, 2014 (Law 21 of 2014), makes the following Regulations -

1. (1) These Regulations may be cited as the Trade and Business Licensing (Amendment of Schedule) Regulations, 2016. Citation and expiry

(2) These Regulations expire on 31st December, 2017.

2. The Trade and Business Licensing Law, 2014 (Law 21 of 2014) is amended in Schedule 1 by inserting after the final provision the following heading and particulars - Amendment of Schedule 1 to the Trade and Business Licensing Law, 2014 (Law 21 of 2014) - fees

“Temporary Reduction in fees for Micro businesses and Small businesses

1. The temporary reductions apply to micro businesses and small businesses that -

- (a) are independently owned and operated;
- (b) are for profit;
- (c) have close control over operations with decisions taken by the owner; and
- (d) are not subsidiaries of local or international businesses.

2. For the purposes of this heading -

- (a) the “fee” means the relevant fee set out in Part B;
- (b) 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;
- (c) 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
- (d) 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.

3. 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 in Part B of 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%
	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%

4. 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.

5. 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 under the heading “Licensing Fee for Little Cayman and Cayman Brac” in this Schedule.

6. 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.

7. 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.

8. 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.

9. 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 in fees.

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

11. 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 the 31st day of December, 2017.”.

Made in Cabinet the 30th day of August, 2016.

Kim Bullings

Clerk of the Cabinet.