

**CAYMAN ISLANDS**



**Trade and Business Licensing Law**

# **TRADE AND BUSINESS LICENSING (APPEALS) REGULATIONS, 2015**

**(SL 52 of 2015)**

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## PUBLISHING DETAILS

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# **TRADE AND BUSINESS LICENSING (APPEALS) REGULATIONS, 2015**

**(SL 52 of 2015)****Arrangement of Regulations**

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## CAYMAN ISLANDS



## Trade and Business Licensing Law

**TRADE AND BUSINESS LICENSING  
(APPEALS) REGULATIONS, 2015**

(SL 52 of 2015)

The Cabinet, in exercise of the powers conferred by section 38(8) of the Trade and Business Licensing Law, 2014 makes the following Regulations —

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**Citation and commencement**

1. (1) These Regulations may be cited as the Trade and Business Licensing (Appeals) Regulations, 2015.
- (2) These Regulations shall come into force immediately after the coming into force of the *Trade and Business Licensing Law, 2014*.

**Definitions**

2. In these Regulations, unless the context otherwise requires, “**the Tribunal**” means the Appeals Tribunal established under section 36 of the Law.

**Filing of notice of appeal**

3. A notice of appeal shall be filed at the Ministry of Financial Services, Commerce and Environment at Government Administration Building, Elgin Avenue, George Town, Grand Cayman.

**Further contents of notice of appeal**

4. (1) The notice of appeal shall be addressed to the Tribunal, and in addition to the details specified in section 38(1) of the Law, shall state —

- (a) the appellant's name;
  - (b) the date on which the decision was communicated to the aggrieved person;
  - (c) the outcome being sought; and
  - (d) the address, including an email address, to which the appellant wishes correspondence regarding the appeal to be sent.
- (2) The notice of appeal shall be accompanied by a bank draft for the payment of the non-refundable processing fee specified in Schedule 1 to the Law.

### **Board to provide original decision**

5. The Board shall forward to the Tribunal, as soon as practicable after receiving the notice of appeal —
- (a) a copy of the decision and any other related documents to which the appeal relates and the reasons given by the Board for the decision; and
  - (b) a copy of any other document or information in the Board's possession that is relevant to the decision and the appeal.

### **Notice of hearing**

6. (1) The Tribunal shall fix the time and place for the hearing of the appeal and give at least fourteen days' written notice to the appellant and the Board of the time and place of the hearing.
- (2) The Tribunal may deny the request for an appeal on the basis that the appeal is frivolous or vexatious and of no merit.

### **Notice of additional evidence**

7. Where an appellant wishes to provide additional evidence to the Tribunal, the appellant shall notify the Tribunal and the Board in writing of this intention.

### **Waiver of notice periods**

8. (1) The Tribunal may, either on its own initiative or on written request by either the appellant or the Board do any of the following —
- (a) adjourn a hearing to any time or place;
  - (b) waive any notice period;
  - (c) waive any requirement to send anything to either the appellant or the Board; or
  - (d) where there has been a failure to comply with a requirement of these Regulations, waive that requirement or impose a modified requirement.
- (2) The Tribunal shall, before carrying out any of the actions in subsection (1), be satisfied that carrying out the action would not be contrary to the rules of natural justice.



**Manner of hearings**

9. The Tribunal shall conduct hearings in a fair and efficient manner and shall provide a just and timely determination of the appeal.

**Witnesses at hearing**

10. Where necessary to the determination of the appeal, the Tribunal may, hear witnesses from either the appellant or the Board.

**Decision where parties not present**

11. The Tribunal may conduct a hearing and decide an appeal where the appellant or the Board or their respective representatives are not present at the hearing.

**Notification of decision**

12. The Tribunal shall, within twenty-eight days of a hearing, advise the appellant and the Board in writing of its decision in an appeal.

**Board shall give effect**

13. The Board shall take such steps as may be required to give effect to the decision of a Tribunal in a timely manner.

**Entitlement to copy of decision**

14. An appellant is entitled to a copy of the decision of the Tribunal.

**Made in Cabinet the 16th day of December, 2015.**

**Kim Bullings**  
*Clerk of the Cabinet.*