

CAYMAN ISLANDS



MUSIC AND DANCING (CONTROL) ACT

(2024 Revision)

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PUBLISHING DETAILS

Law 10 of 1977 consolidated with Law 17 of 1980, 20 of 1981, 11 of 1989, 19 of 1989, 17 of 1991, 28 of 2009, 36 of 2011, 9 of 2018 and Act 16 of 2022 and as amended by the Citation of Acts of Parliament Act, 2020.

Revised under the authority of the *Law Revision Act (2020 Revision)*.

Originally enacted —

Law 10 of 1977-19th May, 1977
Law 17 of 1980-10th September, 1980
Law 20 of 1981-13th October, 1981
Law 11 of 1989-5th September, 1989
Law 19 of 1989-22nd November, 1989
Law 17 of 1991-11th September, 1991
Law 28 of 2009-21st October, 2009
Law 36 of 2011-14th December, 2011
Law 9 of 2018-29th June, 2018
Act 56 of 2020-7th December, 2020
Act 16 of 2022-14th December, 2022.

Consolidated and revised this 31st day of December, 2023.

Note (not forming part of this Act): This revision replaces the 2019 Revision which should now be discarded.



CAYMAN ISLANDS



MUSIC AND DANCING (CONTROL) ACT
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CAYMAN ISLANDS



MUSIC AND DANCING (CONTROL) ACT

(2024 Revision)

Short title

1. This Act may be cited as the *Music and Dancing (Control) Act (2024 Revision)*.

Interpretation

2. In this Act, unless the context otherwise requires —

“**bar**” has the meaning assigned by section 2 of the *Liquor Licensing Act (2019 Revision)*;

“**Board**” has the meaning ascribed to it in the *Liquor Licensing Act (2019 Revision)*;

“**Chairperson**” means the Chairperson of the Board;

“**exempted premises**” means premises to which this Act does not apply by virtue of section 2A;

“**hotel**” has the meaning ascribed to it in the *Liquor Licensing Act (2019 Revision)*;

“**licensed**” and its cognates means licensed under this Act;

“**occasional licence**” means a licence of a category established by section 4(b);

“**permitted hours**” means those hours in which licensed premises are not ordered by the Board to be closed to the public and includes the hours covered by permission given under section 3(3) or an extension of permitted hours under section 9(2);

“**Port Authority**” means the body corporate established by section 3 of the *Port Authority Act (1999 Revision)*;

“**premises subject to this Act**” means premises —

- (a) with respect to which a charge is made for admission;
- (b) where food or refreshment is supplied to the public for a charge; or
- (c) which are licensed under the *Liquor Licensing Act (2019 Revision)*,

but do not include exempted premises;

“**sea-going vessel**” means a vessel —

- (a) approved by the Port Authority as being a suitable vessel for the purposes of section 7(7) of the *Liquor Licensing Act (2019 Revision)*; and
- (b) in respect of which a retail licence has been issued under section 7(7) of the *Liquor Licensing Act (2019 Revision)*;

“**stand-alone retail bar**” means a bar which is not located in a hotel or restaurant, and in respect of which a retail licence has been issued under the *Liquor Licensing Act (2019 Revision)*;

“**temporary licence**” means a licence of a category established by section 4(c); and

“**trade officer**” means a public officer in the Department of Commerce and Investment appointed as such and assigned by the chief officer, or the chief officer’s designate, to perform the duties of trade officer under this Act.

Application

2A. (1) This Act does not apply to the following premises —

- (a) premises licensed for public film exhibition under the *Film Exhibition Control Act, 2015*[*Law 9 of 2015*];
- (b) areas in hotels which are not open to the general public and with respect to which no charge is made for admission; and
- (c) town halls, community centres, theatres, churches, schools, parks, public squares and other venues where members of the general public gather for performances of music, dance or drama.

- (2) The exemption under subsection (1) applies to premises under subsection (1)(c) only where the performances of music, dance or drama are presented primarily for artistic, cultural or religious purposes, rather than for profit.

Certain premises require to be licensed for music and dancing

- 3.** (1) No person having control of any premises subject to this Act shall on or in such premises or on or in any public or other place adjacent to or in the immediate vicinity of such premises cause or permit any dancing or the playing of music —
 - (a) on premises that are not licensed in that behalf;



- (b) during hours that are not permitted hours; or
 - (c) on Good Friday, Christmas Day or Sunday.
- (2) Notwithstanding subsection (1)(c), music may be played or dancing permitted on Sunday, Good Friday and Christmas Day at the airport or “port areas”, as defined in the *Port Authority Act (1999 Revision)*, in order to welcome arriving passengers, or in a restaurant or hotel, being premises subject to this Act, provided the following conditions are observed —
- (a) the music being played is of a low background nature and is not capable of being heard outside of the premises in which it is played; and
 - (b) the time during which the music is played is between 9:00 a.m. and 11:59 p.m.
- (2A) Notwithstanding subsection 1(c), music may be played or dancing permitted on Sunday at a stand-alone retail bar if the following conditions are observed —
- (a) the music being played is of a low background nature and is not capable of being heard outside of the premises in which it is played; and
 - (b) the time during which the music is played is between 11:00 a.m. and 11:59 p.m.
- (2B) Notwithstanding subsection 1(c), music may be played or dancing permitted on Sunday on a sea-going vessel if the following conditions are observed —
- (a) the music is not played while the sea-going vessel is at or within half a mile of any land; and
 - (b) the time during which the music is played is between 11:00 a.m. and 11:59 p.m.
- (3) Notwithstanding subsection (1)(c), the Board may permit dancing or the playing of music in licensed premises, subject to such conditions as the Board may in each particular case determine during the following hours —
- (a) where New Year’s Eve falls on a Saturday, from midnight of that day until 2 a.m. the following morning; and
 - (b) where New Year’s Eve falls on a Sunday, from 10 p.m. until midnight of that day.
- (4) The hours covered by permission granted under subsection (3) are deemed to be permitted hours for the purposes of this Act.

Categories of licences

4. Licences are of three categories as follows —
- (a) general licences granted for one year or the unexpired portion of a year terminating on 30th September;
 - (b) occasional licences granted for periods of from one to six consecutive days; and

- (c) temporary licences granted to the holders of temporary licences under the *Liquor Licensing Act (2019 Revision)*, for the duration of such licences.

Applications for licences

5. (1) Applications for the grant of licences shall be made in writing to the Chairperson in the form prescribed in the Schedule —
- (a) in the case of general licences, not less than twenty-one days before the 1st March, June, September or December;
- (b) in the case of occasional and temporary licences, not less than seven days before the licence is required.
- (2) Applications for renewal of general licences shall be made in writing to the Chairperson in the form prescribed in the Schedule not less than twenty-one days before the 1st September.
- (3) Applications for variation of licences shall be made in writing to the Chairperson in the form prescribed in the Schedule not less than twenty-one days before the variation is desired.

Grants of licences

6. (1) General licences and the renewal thereof may be granted by the Board.
- (2) Occasional and temporary licences may be granted by the Chairperson.
- (3) Variation of licences (change of premises or change of licensee) may be granted *pro tempore* by the Chairperson subject to confirmation by the Board at the next annual or quarterly meeting thereof.

Condition of grants of licences

7. The conditions applying to the grant, transfer and renewal of licences shall *mutatis mutandis*, be the same as the conditions applying to the grant of liquor licences under the *Liquor Licensing Act (2019 Revision)*:

Provided that where on licensed premises there has been committed an offence contrary to this Act or the *Liquor Licensing Act (2019 Revision)* leading to the conviction of the offender or where other good cause exists, the Chairperson, within one month of such conviction or of the Chairperson becoming aware of such cause, may suspend the relevant licence until the next session of the Board, and the Board at such session, after hearing the licensee and any objections to the continuation of the licence, may raise the suspension or revoke or refuse to renew the licence:

Provided further that in the event of the Board raising any such suspension, it may order the payment from public funds to the licensee concerned of a sum not exceeding five hundred dollars by way of full and final compensation for all loss suffered by reason of such suspension and such order shall take effect accordingly and shall not be the subject of any appeal to, or review by, any court.



Consideration of applications and issue of licences

8. The Board shall consider the grant of licences either at the termination of the other business transacted at its sessions or together with such other business as may be convenient and where licences are granted shall issue a certificate as prescribed in the Schedule.

Extensions of permitted hours

9. (1) The Board shall, at its annual general meetings in September, by order, prescribe what hours are permitted hours for the purpose of this Act and cause such orders to be gazetted.
- (2) The Chairperson may, from time to time, grant extensions of permitted hours in respect of special occasions either generally or in the case of a particular licence.
- (3) The hours covered by an extension given under subsection (2) are deemed to be permitted hours for the purposes of this Act.

Signs

10. Premises licensed under this Act shall display a sign on the outside thereof in the form prescribed in the Schedule.

Licensed premises to be open for inspection

11. Licensed premises shall be open for inspection by trade officers at all reasonable times.

Duties and powers of trade officers

- 11A.(1) Trade officers have the duty to enforce this Act and to assist the Board and have the authority to carry out such instructions as may be given by the Board or the Director of the Department of Commerce and Investment or the Director's delegate, in accordance with this Act.
- (2) A trade officer has all powers, privileges, rights and immunities of a constable when carrying out the trade officer's duties under this Act, including the powers to enter and search premises set out in section 33 of the *Liquor Licensing Act (2019 Revision)*.

Powers and duties of the Commissioner and Director

- 11B. The Director of the Department of Commerce and Investment and the Commissioner of Police (and every person acting under the Commissioner's authority) shall assist the Board in administering this Act and shall have all powers, privileges, rights and immunities in respect of licensed premises under this Act as they have in respect of licensed premises under the *Liquor Licensing Act (2019 Revision)*, including the powers set out in section 33 of that Act to enter and search premises.

Obstruction of a trade officer, the Director or the Commissioner

11C. A person who obstructs a trade officer, the Director of the Department of Commerce and Investment or the Commissioner of Police (or a person acting under the Commissioner's authority) in the execution of their duties or exercise of their powers under this Act commits an offence and is liable on summary conviction to a fine of one thousand dollars or to imprisonment for one year or to both.

Fees

- 12.** (1) An application for the grant, variation or renewal of a licence shall be accompanied by the application fee prescribed in the Schedule.
- (2) An applicant shall, in addition to the application fee specified in subsection (1), pay the fee prescribed in the Schedule for the category of licence applied for.
- (3) Where the grant, variation or renewal of a licence is refused, three-quarters of the licence fee paid on application shall be returned to the applicant.
- (4) The Board may, where satisfied that it is in the public interest to do so, waive in whole or in part the fees required to be paid for an occasional licence permitting music or dancing at an event that is part of a national festival of the Islands.

Penal

- 13.** (1) A person who contravenes section 3 commits an offence and is liable on summary conviction to a fine of five hundred dollars or to imprisonment for one month.
- (2) A person who —
- (a) makes any statement orally or in writing in the truth of which that person does not believe (the onus of proving the person's belief being upon that person) calculated to deceive or mislead the Board, its Chairperson or any member thereof in connection with its business under this Act; or
- (b) obstructs any trade officer in the execution of that person's duty under section 11,
- commits an offence and is liable on summary conviction to a fine of five hundred dollars and to imprisonment for one month.

Regulations

- 14.** The Cabinet may make regulations for the purpose of the administration of this Act.



SCHEDULE

FORMS

Form M&D 1

MUSIC AND DANCING (CONTROL) ACT (2024 REVISION)

(section 5(1)(a))

To the Chairperson of the Board —

I, _____, aged _____, of _____, hereby apply to the Board for a licence for the period beginning on the _____ day of _____, 20____, and ending on the 30th day of September following.

The address of the proposed licensed premises is

I enclose certificates of the Commissioner of Police, the Chief Medical Officer, the Officer in Charge of the Public Works Department and the Executive Secretary of the Central Planning Authority as to the suitability of the premises.

A plan of the premises with details of dance floor areas, entrances and toilet facilities marked thereto is attached.

The Treasury receipt for the prescribed fee is enclosed.

Signed: _____



Form M&D 2

MUSIC AND DANCING (CONTROL) ACT (2024 REVISION)

(section 5(1) (b))

We, _____ aged _____ respectively,
of, _____ hereby apply for an occasional
temporary licence from _____ until _____
and _____ at _____ inclusive between the hours of _____.

The circumstances are as follows —

The Treasury receipt for the prescribed fee is enclosed.

Signed: _____



Form M&D 3

MUSIC AND DANCING (CONTROL) ACT (2024 REVISION)

(section 5(2))

To the Chairperson of the Board —

I, _____, the holder of licence No. _____, hereby
apply for renewal of the said licence for a further period of one year.

The Treasury receipt for the prescribed fee is enclosed herewith together with the certificate
for endorsement.

Signed: _____



Form M & D 4

MUSIC AND DANCING (CONTROL) ACT (2024 REVISION)

(section 5(3))

To the Chairperson of the Board —

I _____, holder of licence No. _____, hereby apply
for
variation of the said license by

The Treasury receipt for the prescribed fee is enclosed.

Signed: _____



Form M&D 5

MUSIC AND DANCING (CONTROL) ACT (2024 REVISION)

(section 8)

This is to certify that
of
Act in respect of the premises at
to expire on the 30th of September 20 .

is the holder of licence No. under the above
which licence is due

Signed: _____
Chairperson of the Board

Date:
Space for renewals



SIGN*(section 10)*

The sign shall be not less than 6 inches by 24 inches and not more than 9 inches by 36 inches in dimensions and shall carry in white letters on a black ground such lettering to be not more than 3 inches or less than 2 inches in height the following information —

“Licensed for Music and Dancing,-----, Licensee”.

FEES*(section 12)*

Application Fee	\$ 50
Annual licence	\$500
In the case of a period of less than one year, per quarter or part thereof	\$500
Temporary licence	\$300
Occasional licence (per day)	\$300
For variation of a licence	\$100

Publication in consolidated and revised form authorised by the Cabinet this 30th day of January, 2024.

Kim Bullings
Clerk of Cabinet



ENDNOTES

Table of Legislation history:

SL #	Act/Law #	Legislation	Commencement	Gazette
	16/2022	Music and Dancing (Control) (Amendment) Act, 2022	21-Dec-2022	LG51/2022/s1
	56/2020	Citation of Acts of Parliament Act, 2020	3-Dec-2020	LG89/2020/s1
		Music And Dancing (Control) Law (2019 Revision)	19-Feb-2019	LG2/2018/s7
	9/2018	Music and Dancing (Control) (Amendment) Law, 2018	13-Aug-2018	G17/2018/s8
		Music And Dancing (Control) Law (2012 Revision)	8-Oct-2012	G21/2012/s10
	36/2011	Music and Dancing (Control) (Amendment) Law, 2011	22-Dec-2011	GE113/2011/s2
		Music And Dancing (Control) Law (2010 Revision)	8-Nov-2010	G23/2010/s13
	28/2009	Music and Dancing (Control) (Amendment) Law, 2009	23-Nov-2009	G24/2009/s5
		Music And Dancing (Control) Law (1995 Revision)	1-May-1995	G9/1995/s3
	17/1991	Music and Dancing (Control) (Amendment) Law, 1991	6-Nov-1991	GE/1991/s7
	19/1989	Music and Dancing (Control) (1989 Amendment) (Repeal) Law, 1989	26-Feb-1990	G5/1990/s3
	11/1989	Music and Dancing (Control) (Amendment) Law, 1989	20-Nov-1989	G24/1989/s5
	20/1981	Music and Dancing (Control) (Amendment) Law, 1981	16-Nov-1981	G23/1981/s2
	17/1980	Music and Dancing (Control) (Amendment) Law, 1980	16-Oct-1980	G20/1980/s1
	10/1977	Music and Dancing (Control) Law, 1977	6-Jun-1977	G12/1977/s4





(Price: \$4.00)

